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# SPECIAL JOINT COMMITTEE OF THE SENATE AND THE HOUSE OF COMMONS

APPOINTED TO CONTINUE AND COMPLETE THE EXAMINATION  
AND CONSIDERATION OF THE

## INDIAN ACT

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 31

FRIDAY, JUNE 6, 1947

### WITNESSES:

Mr. H. G. Anderson, Fairford, Manitoba, President, Indian Association of Manitoba;  
Mr. T. G. Prince, M.M., Brokenhead Reserve, Vice-President, Indian Association of Manitoba;  
Chief John Thompson, Fort Alexander Reserve, Manitoba;  
Chief James Murdoch, Koostatak, Manitoba;  
Mr. Boniface Guimond, Secretary, Fort Alexander Catholic Association;  
Mr. A. G. Hamilton, Inspector, Indian Agencies, Manitoba;  
Mr. Hugh Conn, General Supervisor, Fur Developments, Indian Affairs Branch, Ottawa.

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1947







## MINUTES OF PROCEEDINGS

HOUSE OF COMMONS,  
Friday, 6th June, 1947.

The Special Joint Committee of the Senate and the House of Commons appointed to continue and complete the examination and consideration of the Indian Act (Chapter 98, R.S.C., 1927), and all such other matters as have been referred to the said Committee met this day at 11 o'clock a.m.

Presiding: Mr. D. F. Brown, M.P., Joint Chairman.

*Present:*

*The Senate:* The Honourable Senators Blais, Johnston, Macdonald (*Cardigan*), Robicheau and Taylor, 5.

*The House of Commons:* The Honourable Mr. Stirling and Messrs. Brown, Bryce, Case, Castleden, Charlton, Farquhar, Gariépy, Harkness, Matthews (*Brandon*) (Vice Chairman), MacNicol, Raymond (*Wright*), 12.

*In attendance:* Mr. W. J. Ford Pratt; (From Indian Affairs Branch): Messrs. R. A. Hoey, Director; H. M. Jones, Supervisor, Family Allowances; G. Patrick, V.L.A.; M. McCrimmon, Reserves Division; Hugh Conn, General Supervisor, Fur Developments; W. S. Arniel, Inspector, Indian Agencies, Ontario; A. G. Hamilton, Inspector, Indian Agencies, Manitoba; G. Armstrong, Welfare Division; also, Mr. Max Campbell, M.P., Rev. Fr. J. O. Plourde, O.M.I.; Rev. Fr. G. Laviolette, O.M.I.; also Mr. Norman E. Lickers, Barrister, Counsel for the Committee and Liaison Officer.

Mr. Hugh Conn, General Supervisor, Indian Affairs Branch, was called, made a statement and was questioned. By leave of the Committee part of the statement was not put on record.

Mr. Thomas G. Prince, M.M., was recalled, and questioned and acted as interpreter when questions were put to:

Chief John Thompson, Fort Alexander Reserve;

Chief James Murdoch, Koostatak, Manitoba, and to

Councillor H. G. Anderson, President, Indian Association of Manitoba;

Mr. Boniface Guimond, Secretary, Fort Alexander Catholic Association was recalled and questioned.

The Committee adjourned at 1 o'clock p.m., to meet again this day at 4.00 p.m.

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### AFTERNOON SESSION

The Committee resumed at 4 o'clock p.m.

Presiding: Mr. D. F. Brown, M.P., Joint Chairman.

*Present:*

*The Senate:* The Honourable Senators Johnston and Taylor, 2.

*The House of Commons:* Messrs. Brown, Blackmore, Bryce, Case, Castle-den, Farquhar, Matthews (*Brandon*), MacNicol, Raymond (*Wright*), Reid, 10.

In attendance: as at morning session.

The Chairman read a letter from Councillor M. T. Montour, Caughnawaga, asking that Indian Affairs Branch permit the use of band funds to pay the expenses of "at least six members of the band Council" who wish to attend the hearing of Indians resident in Quebec. Matter referred to the Director, Indian Affairs Branch.

Questioning resumed of Messrs. Thompson and Prince.

Meeting interrupted by division in House. Meeting resumed at 4.40 p.m.

Mr. A. G. Hamilton, Inspector, Indian Agencies, Manitoba, was called, read a statement and was questioned thereon.

The Chairman thanked the delegation from Manitoba and Mr. Hamilton for the assistance they had rendered the Committee.

The Committee adjourned at 6 o'clock p.m., to meet again on Tuesday, 10th June next at 11 o'clock a.m.

T. L. McEVOY,  
*Clerk of the Joint Committee.*



## MINUTES OF EVIDENCE

HOUSE OF COMMONS,

June 6, 1947.

The Special Joint Committee of the Senate and the House of Commons appointed to examine and consider the Indian Act, met this day at 11.00 a.m. Mr. D. F. Brown, M.P., (Joint Chairman), presided.

The CHAIRMAN: Yesterday I said that there was one department official who would like the opportunity of making a statement off the record. If you are determined to have that statement on the record that is entirely a committee affair; but until we have had some indication of what the statement is—it is in connection with the Summerberry fur project in Manitoba—I think we should give him an opportunity of telling us what it is then and then we can decide whether we want it on the record. It will be a brief statement.

Mr. CASTLEDEN: How long is "brief", Mr. Chairman?

The CHAIRMAN: When I say brief, I mean a short period of time; but when it gets into the hands of the committee and you start asking questions I have no control over it.

Mr. CASTLEDEN: I am thinking of the time the delegation will be here.

The CHAIRMAN: That is why we want to hear the statement now, so they will be here to hear it.

Mr. CASTLEDEN: I was just thinking of the time they have. I think probably we could get through with their questioning—

The CHAIRMAN: There is just Mr. Bryce who wishes to ask some questions.

Mr. CASTLEDEN: I haven't completed my questions yet.

The CHAIRMAN: You have not completed yours? I am sorry, I thought you had.

Mr. BRYCE: Whoever the official is, he can tell us how long it will take. If it is something to the benefit of the Manitoba men who are here, we should hear it.

Mr. CONN: It is not a prepared brief; it is a statement. It relates to a question raised by The Pas Indians in the brief presented by Mr. Prince yesterday. I think it has a direct bearing on the question we were discussing yesterday afternoon in an attempt to find out exactly what the rights of the Indians are under these treaties. And I may say that the major portion of my remarks should be on the record. There is just one point that would reflect to the disadvantage of the Indians if it were given to the general public, and I would like to submit on your consideration that at that stage of my submission my remarks might be left off the record.

The CHAIRMAN: What is your pleasure, gentlemen? Shall we hear Mr. Conn now?

Mr. BRYCE: Yes. I wanted to ask questions about some things but perhaps he will cover some of the points about which I wanted to ask.

The CHAIRMAN: Will you come up here, Mr. Conn, please.

**Mr. Hugh Conn, General Supervisor, Fur Developments, Indian Affairs Branch, Department of Mines and Resources, called:**

The CHAIRMAN: You will let us know when you reach that part of your statement which you feel should be off the record?

The WITNESS: Yes.

*By the Chairman:*

Q. Mr. Conn, you are, I understand, connected with fur conservation in the department?—A. I am general supervisor of fur developments.

Q. And you have been with the department for a number of years. You have already presented a brief to this committee. You now have some further statement you would like to make in connection with the Manitoba Indians?—A. Yes.

Q. Would you now proceed.—A. Yesterday, when Mr. Prince submitted the brief of The Pas Indians there were two specific complaints. The first one was that Indians have been fined for shooting ducks on their own reserve out of season; and the second complaint, as I understand it, was that in bringing a complaint concerning trapping on the Summerberry reserve to the attention of the fur advisory committee last year they had been dismissed with the advice to let sleeping dogs lie. In reference to that last advice, they were perfectly true in making that statement. That is what was told them in the committee meeting at which the press were present; but they neglected to mention that the following day I met with the band council at the agency office and went into detail explaining just exactly what the situation was in regard to their trapping rights on the Summerberry reserve. Chief Bignell, it is true, was not at this meeting because of illness. But the whole situation as far as the Indians are concerned stems from the opinion that their treaty rights in regard to fishing and trapping guaranteed them the right to shoot and kill for their own use at all seasons of the year. The treaty was gone into rather thoroughly yesterday and the Natural Resources Agreement was cited. In my submission of last year which appears in Minutes of Evidence, No. 16, at page 698, I quoted from the Natural Resources Agreement, clause 15, which deals with fishing rights and hunting rights, and which reads as follows:

In order to secure to the Indians of the province continuance of the supply of game and fish for their support and subsistence Canada agrees that the laws respecting game enforced in the province from time to time shall apply to the Indians within the boundaries there provided, however, that the said Indians shall have the right, which the province assures them, of hunting, trapping and fishing for food at all seasons of the year on all unoccupied Crown lands and on any other lands to which the said Indians have a right of access.

That was the right provided to the Indians under the Natural Resources Agreement. Following that we have a section of the Manitoba Game Act, that is section 71, subsection (4):

71. (4) For the purpose of subsection (1) lands set aside or designated as game preserves, forest reserves, provincial parks, registered trap-line districts, or fur rehabilitation blocks shall be deemed occupied Crown lands and not lands to which an Indian has right of access.

In other words, in accordance with that legislation the Indian is in exactly the same position as the white man in law on the Summerberry reserve. However, there is another feature of game administration which enters into the picture. At the time the Summerberry marsh was developed it was linked up to a relief project and the provincial government as a relief measure developed what we

call the Summerberry portion of this consolidated development. Incidentally, I might explain that when we use the term Summerberry we do it rather loosely. The Summerberry is one small section of the project. In 1938 the Indian department undertook the development of another area adjacent to the Summerberry. In 1940, when this area came into production an agreement was entered into with the province of Manitoba whereby the Indians would be eligible to trap on the whole consolidated area.

But now, if it meets with your approval, I would like at this point to have what I say off the record.

The CHAIRMAN: Is that agreeable to the committee?

Agreed.

**Thomas George Prince, M.M., Vice-President Indian Association of Manitoba, Canterbury Reserve, recalled:**

The CHAIRMAN: Mr. Castleden are you ready?

Mr. CASTLEDEN: I am giving up my place to Mr. Bryce.

*By Mr. Bryce:*

Q. Mr. Prince, you have some complaint which runs into this Provincial Dominion Relations Act at The Pas, where men have been fined for shooting ducks and geese on their own reserve for food.—A. I have a brief that was submitted to me by Chief Cornelius Bignell of The Pas band which asks the following: "(1) Why were the Indians of The Pas band fined for hunting ducks and geese for their own use out of season?"

That refers to out of season under the white man's terms. The Indian's term was that they were to hunt for their own use all the year round. They were fined \$10 each and they were prosecuted under the Migratory Birds Act. The Indian still believes they were within their treaty rights. Does that answer the question?

Q. Perhaps Mr. Conn would explain that.

Mr. CONN: The Migratory Birds Act is a federal act for the protection of migratory birds and it is based on a treaty with the United States of America. The regulations are in force on the other side of the border as well and it has been ruled that the Migratory Birds Act applies to Indians on and off the reserves. I might say the Migratory Birds Act as it applies to Indians on the reserve is only enforced in places like The Pas where there is a big white community. If the whites were to see an Indian on the Saskatchewan in his canoe banging off ducks they would want to know why they also could not do the same. As a rule there is no attempt to enforce the Migratory Birds Act either on or off the reserve. Shooting migratory birds in the spring is quite widespread especially in the north.

Mr. LICKERS: Is there any expression in the Act that says it supersedes any rights given to the Indians under treaty?

Mr. CONN: I do not believe there is any specific citation in the Act in that respect. As a matter of fact I am not an authority on the migratory bird laws but Dr. H. F. Lewis of the National Parks Bureau would be your authority on that. He is thoroughly familiar with the situation.

Mr. BRYCE: I think according to the treaties, they are very complicated, but the Indian has a right to shoot his own food at any time of the year on his own reserve and I want this to be quite clear. This does not mean dominion lands, or occupied lands, but on his own reserve where he can shoot something for food. He has, however, been fined and he has been imprisoned for it. There is something wrong.

The CHAIRMAN: He was not imprisoned, he was fined \$10.



Mr. BRYCE: \$10 to one man may be the equal of \$10,000 to another.

The CHAIRMAN: But I do not think he was imprisoned.

Mr. BRYCE: You go to prison if you do not pay your fine.

The CHAIRMAN: Sometimes.

Mr. BRYCE: Some of them went to prison rather than pay their fine because they were within their rights.

Mr. CASTLEDEN: The Indians feel they were promised under treaty the right to hunt the year round. When the agreements concerning the Migratory Birds Act were made with the United States and other countries, the government was making a law superseding the treaties, and the treaties have not been recognized under the Migratory Birds Act.

The CHAIRMAN: I think this would just be another point in favour of setting up an Indian claims commission with authority to make definite settlements.

Mr. CASE: You would soon have no birds at all.

Mr. CASTLEDEN: No, no. The Indian is a conservationist.

Mr. CASE: I have had a great deal to do with the protection of wild life in the last twenty years and I say there would soon be none left.

Mr. BRYCE: I do not want to assume the attitude of a lawyer by any means but it is in the treaty that they shall be able to do that.

Mr. CASE: The white people used to shoot out of season before the game laws were considered necessary.

Mr. BRYCE: But the white man or the immigrant was never promised he would be allowed to hunt the year round for all time to come.

Mr. CASE: Times, of course, have changed.

The CHAIRMAN: Mr. Prince wanted to say something about the Migratory Birds Act.

The WITNESS: In regard to your question on the Migratory Birds Act and the statement that there would be no birds left, I would tell you that the Indian knows if they keep shooting ducks which they cannot eat they would be disposing of their food for the future. Whether the Indian can read or write he knows for a fact that he is not to shoot for barter or for sale. The Indian knows that. The Indian will not go out and shoot any ducks or geese except for use and needed food.

Mr. CASTLEDEN: You would not say the same would be true of the white man.

Mr. MacNICOL: The white man shoots for sport but the Indian is a real conservationist.

Mr. CASTLEDEN: The Indian is a real conservationist.

*By Mr. Bryce:*

Q. In the meetings with your association did you hear complaints about the St. Peter's reserve? I understood the gentleman did not get here who belongs to that reserve.—A. The unaffiliated Indian was to speak about the St. Peter's question and the so called surrender. I turned over the proceedings of the discussions we had in Manitoba on December 3 and 4 and I have not received them back as yet. You will find in the proceedings towards the latter part that we were dealing with the St. Peter's question. This St. Peter's question arose when the surrender or the so called surrender was made in 1907 and at that time the Indians were promised \$90 per head in the said band. They were promised 160 acres per 5 of a family. They asked \$25 per acre on the surrender but they did not get the \$25 an acre. They received the sum of \$15 per acre

and in addition to that as the discussion proceeded they got two gallons of whiskey. They had received a receipt from the Indian agent of the Clandeboyce agency at Selkirk at that time.

Q. Mr. Hoey informs me by letter the other day. . .—A. Pardon me, I have to finish that. They got one gallon of whiskey from the Indian agent at Selkirk and they have a receipt. They got it on the way from Selkirk to locate a new reserve and they were to refill their one gallon of whiskey at Gimli. You will find in the proceedings one of the eye witnesses that participated in the so called surrender.

The CHAIRMAN: When did all this take place?

Mr. BRYCE: 1907.

The CHAIRMAN: If I could refer the members of the committee at this point to the minutes of proceedings of 1946, page 529 and page 530, the witness was Mr. A. G. Leslie of the reserves and trusts service of the Indian Affairs Branch. The question of the St. Peters reservation was discussed.

Mr. CASE: What was the market price of whiskey at that time, in 1907?

Mr. BRYCE: I do not know, I was not here then or I could have told you.

Mr. CASE: Did they barter for \$10 and two gallons of whiskey?

Mr. BRYCE: No, they each got a gallon of whiskey and they were to get it replenished when they got to Gimli according to some letters I have in my files.

The CHAIRMAN: It is not in any of the formal agreements.

Mr. BRYCE: No, I think the lawyers were too cute to include anything like that. Mr. Hoey informed me a few days ago that the final payment for the land was made this spring. I think the \$33,000 was divided up between the St. Peter's reserve and the Peguis reserve. I gather from the people I meet in my own constituency they made this agreement under pressure and they have regretted it ever since. The evidence by eye-witnesses points to the fact that it was made under pressure and the land was vacated and they were taken away elsewhere.

The CHAIRMAN: That was forty years ago.

Mr. BRYCE: Your arithmetic is right. I do not think, however, that we can go into it much further. The final payment has been and it is just one of those things that the government of that day did for which we cannot blame the present government. It is one of the things that adds to the discontent of the Indian and it makes him feel less confident in the white man. We are sitting around this table trying to show him we want to give him a square deal. There are a lot of us who would like to give him just a little more than a square deal to make up for the raw deal which he got in the past. Now there are some of these other gentlemen I would like to ask questions.

The CHAIRMAN: Go right ahead and do it now.

Mr. BRYCE: Before I leave Mr. Prince, when you meet with these other Indians is there any talk of not receiving an accounting of band funds of their bands? Do you ever find that or have you any complaints in regard to that? I am speaking of the standing of your band funds.

The WITNESS: Yes, the biggest majority of the Indians in the individual reserves in Manitoba do not know the status of their band funds. I think Chief Thompson could answer that. He has referred the matter to the Indian agent and I think he could answer the question of the status of the band funds.

Mr. CASTLEDEN: How about your own agency?

The WITNESS: In my own agency we have often asked about our band funds.

The CHAIRMAN: Did you get any reply?

The WITNESS: I got a reply in my own case but I think Chief Thompson did not get a reply.

Mr. CASTLEDEN: You received a statement showing the status of the trust funds of your band?

The WITNESS: Yes, I receive that every year from Canterbury.

Mr. BRYCE: Chief Thompson, I would like to ask you a question. You said something yesterday about school attendance? Do you figure there are a lot of boys and girls not going to school?

Chief THOMPSON: Yes, because there are no schools there.

Mr. BRYCE: There is no school there? Is that the case where Mr. Hamilton said they were making a new school?

Chief THOMPSON: Mr. Hamilton could tell the whole question about that school.

Mr. BRYCE: Do you have any timber on that reserve?

Chief THOMPSON: Yes we have.

Mr. BRYCE: Is there any saw-mill?

Chief THOMPSON: No saw-mill.

Mr. BRYCE: There is enough timber there to build a school?

Chief THOMPSON: Yes sir.

Mr. BRYCE: Have you ever enquired about the band funds through the agent?

Chief THOMPSON: I could not hear you.

Mr. BRYCE: I asked you, Chief Thompson, if you had ever applied to get an accounting of your band funds?

Chief THOMPSON: Yes, we do sometimes.

Mr. BRYCE: Do you get it?

Chief THOMPSON: Yes.

Mr. BRYCE: You get such an accounting?

Chief THOMPSON: Yes.

Mr. BRYCE: How far does the Indian agent live from you?

Chief THOMPSON: Well, he lives about sixty miles, I would say.

Mr. BRYCE: And how often does he come around to your reserve?

Chief THOMPSON: He comes nearly every week, sometimes every two weeks.

Mr. BRYCE: That is very good. Now Chief Murdoch, what about the schools in your reserve? Have you sufficient school space for educating the children on your reserve? I understand there are a lot of children whose parents are getting the family allowance but the children are not going to school.

Chief MURDOCK: Yes, they are not going to school the whole year round because they cannot. They have to go too far.

Mr. BRYCE: How far are they from the nearest schools?

Chief MURDOCK: Five miles.

Mr. BRYCE: Five miles from the nearest schools?

Chief MURDOCK: Yes.

Mr. BRYCE: Have you been promised a school?

Chief MURDOCK: They promised to build a school in the western part of our reserve and we selected three acres of land. We got it picked out to build the school but they never built it. It was just a promise, that was all.

Mr. BRYCE: How many children could go to that school if you had a new school building?



Chief MURDOCH: About twenty-five or thirty.

Mr. BRYCE: In talking to you when I was on that reserve about a year ago, you drew my attention to the scarcity of land for veterans coming back. Is that still a problem? Have you not sufficient land for the members of your band?

Chief MURDOCH: Well these returned men have been asking us about land which we could give them so they could start work but we have not done anything like that because we are short of land and cannot give it to them.

Mr. BRYCE: Do you know how many acres you have there?

Chief MURDOCH: Not exactly; I think it is over 20,000 acres, something like that.

Mr. BRYCE: You have about what, ninety families there is it?

Chief MURDOCH: We have 600 and some odd people with close to 150 families.

The CHAIRMAN: What reserve is that?

Mr. BRYCE: The Fisher River. He says there are about 150 families.

The CHAIRMAN: Yes, the records here show that the Fisher River reserve, according to the survey made by the Indian Affairs Branch—

Mr. FARQUHAR: A little louder please?

The CHAIRMAN: According to the census made by the Indian Affairs Branch Fisher River has 13,801.75 acres, but there are two Fisher River reserves are there not? The other has 1,920 acres which would be a total of roughly 14,000 odd acres.

Mr. CASTLEDEN: 15,700.

Mr. CHAIRMAN: Pardon me, nearly 16,000 acres. Now what is the total population?

Mr. CASE: Do the two reserves join each other?

The WITNESS: No.

Mr. PATRICK: The small one is a fishing station.

Mr. CASE: How far is it from the main reserve?

The CHAIRMAN: Could you tell us Mr. Hamilton?

Mr. HAMILTON: I could not tell you accurately, but I think it is only a matter of five or six miles.

The CHAIRMAN: Have you any record, Mr. Lickers, as to how many families there are on the reserve?

Mr. LICKERS: It shows 619, and the Peguis, which is also part of Fisher River, has 1,158.

Mr. CHARLTON: All those people on only 1,900 acres?

The CHAIRMAN: We are talking about the population and when you talk about the Peguis reserve that is another one. The Peguis, as shown here, has 75,000 acres. Now the Fisher River reserve has two branches, one of which is a fishing station apparently, but what I want to know is the total population of the two Fisher River reserves.

Chief MURDOCK: That is 619.

The CHAIRMAN: 619 and you say it has about 150 families Mr. Bryce?

Mr. BRYCE: Approximately.

**Chief James Murdoch called:**

*By Mr. Bryce:*

Q. Has your band ever surrendered any land in the past?—A. No.

Q. You held on to all you had?—A. Yes.

Q. Are there any white people living on the reserve?—A. No.

Q. And you have received additional land already for the increase of your band?—A. Pardon?

Q. You got some extra land did you not?—A. We did get land on the west side of our reserve.

Q. That is where the fishing station is?—A. No, that is just hay land.

The CHAIRMAN: That is in addition to both these reserves?

Mr. BRYCE: No, it is included.

The WITNESS: If you are talking about that fishing station, it belongs to the Peguis reserve alongside the lake.

Mr. BRYCE: That does not belong to the Fisher River reserve.

The WITNESS: No, it does not belong to the Fisher River band.

Mr. BRYCE: As far as medical services are concerned you are quite well served with the hospital that is there?

The WITNESS: Yes, we are getting good service.

Mr. BRYCE: You find it is adequate for your purposes.

Mr. H. G. ANDERSON: Called by Mr. BRYCE.

Q. Mr. Anderson, what is your problem with your schools up there? I found when I was up there about 47 children that had not had any education for three years.—A. Well, we have two schools.

Q. Two schools?—A. Yes.

*By the Chairman:*

Q. I am sorry, we did not get what you said?—A. We have two schools on the reserve but only one is open. At one of them we had 47 children in the school but no school teacher. That school has been closed for three years.

*By Mr. Bryce:*

Q. It has been closed for three years?—A. One school is open but there are not many children attending. Sometimes we just had ten or eleven going to school and sometimes a few more.

Q. I showed a photograph to the committee of that school. It is a very large school but there are only ten or eleven children going to it and on the other end of the reserve there is a small school but they have not been able to get a teacher for that school.

Q. How far does your Indian Agent live from your reserve?—A. I would say about two hundred miles.

Q. Two hundred miles?—A. Yes.

Q. When you have any problems do you go to the farm instructor?—A. I beg pardon.

Q. Do you go to the farm instructor when you have any problems?—A. Yes, of course we have three reserves.

(In the following examination of Mr. Anderson, Mr. Prince acts as interpreter.)

*By Mr. Bryce:*

Q. How far do you live from the Indian agent? Would you say 200 miles? I asked the witness whom he went to see: did he go to the farm instructor?—A. Councillor Anderson claims he goes to the farm instructor and mostly does not get any results.

*By the Chairman:*

Q. Where is the farm instructor?—A. Little Saskatchewan. Under the supervision of one farm instructor there are three reserves: Lake St. Martin, Little Saskatchewan and Fairford reserves.

Mr. CASTLEDEN: How many people live on those reserves?

The CHAIRMAN: We have that on the record now.

*By Mr. Bryce:*

Q. How far away is the farm instructor from your reserve?—A. He says the farm instructor lives in the middle of the reserve—about seven miles. This particular councillor lives approximately seven miles from the farm instructor and there are other Indians belonging to the small band who live ten or twelve miles. It varies.

Q. This farm instructor does the work for three reserves?—A. He says, yes, he does the work for three reserves.

Q. He acts as an Indian agent?—A. He said he acts as an Indian agent as the Indian agent is 200 miles away.

Q. He would not have much time to do the work of a farm instructor, would he? How much land have they got under cultivation in Fairford?—A. He says they actually have nothing under cultivation except they have individual gardens for their vegetables, for household use.

Q. I think it is mostly a cattle country. Ask the witness if they have been provided with registered thoroughbred bulls for the improvement of their cattle?—A. He cannot make the statement as he had a registered bull in his particular reserve for two years and he was a cripple.

Q. Mr. Prince, would you tell this gentleman in your native tongue that the post office that was in Fairford and was taken away from the Indians after being there for fifty years is being replaced; that the Postmaster General has been in consultation with the officers of the department and the post office will be replaced.—A. (Mr. Prince interprets.)

Q. Will you find out how many cattle they have on the reserve?—A. He says: Offhand I could not give you estimates of the cattle in the reserve but I would say roughly 100.

Q. Ask him whether most of the residents on the reserve fish?—A. He says: In the winter time we fish in the lake for commercial fishing.

Mr. MACNICOL: Is that Lake Manitoba?

Mr. PRINCE: Lake St. Martin. They fish in the winter time for commercial fishing. Of course they have to pay for their licence. In the summer time for their own consumption they cannot fish as the river dries up.

*By Mr. Bryce:*

Q. Would you ask him what the average revenue would be approximately, for an Indian family, from fishing during the winter?—A. If a man goes out to fish on Lake St. Martin by commercial fishing he cannot make anything, barely his expenses.

Mr. MACNICOL: The lake is too small.

Mr. PRINCE: Yes, it is. It stands to reason.

Mr. BRYCE: I want to ask some questions of Mr. Guimond.

**Boniface Guimond, recalled:**

*By Mr. Bryce:*

Q. You heard these other gentlemen who come from Fort Alexander. Do you have the same complaints as Chief Thompson about the filth that is being thrown into the river and you have to get your water supply farther away?—

A. Yes, we have.



Q. You found it pretty bad at times, did you?—A. I would not say that personally. I was not forced to drink it myself on account of the wells. Personally I could not say that.

Q. On a reserve there is nothing else you can drink but water if you live up to the regulations. You think it would be to the benefit of the Fort Alexander bands to have some wells drilled?—A. Definitely.

Q. Have you ever applied to the department? Do you know if the chief of the band has applied to the department and drawn its attention to this condition?—A. At the time that this happened I happened to be up north, but I know that they did get wells there but now I do not believe there is one well there.

Q. One well would not be enough for so many people?—A. I believe they did have so many wells for so many families, but now the reason there are no more wells, apparently—there was one well that I used a few years ago, but I do not see it now because the man who lived on the lot does not live there any more.

Q. That would be a dug well?—A. There is just a pasture left.

Q. You were talking yesterday about the educational facilities of Fort Alexander. How far do the children go to school there?—A. Up to the eighth grade.

Q. And when they get to the eighth grade what facilities are there for continuing their education? I am referring to the boys and girls of that village.—A. By the time they get to the eighth grade that is about the time they leave school—at the age of sixteen.

Q. There is a residential school and a day school both?—A. Yes, there is a residential school at the mouth of the river and there is a day school at Pine Falls, approximately two miles away.

Q. Can any of the boys and girls go on and take a higher education than the eighth grade?—A. No, they leave school and go home and from there on they shift for themselves. Incidentally, I was mentioning that to a certain person at Fort Alexander the other day and I was suggesting that some facilities should be given the children to go farther in school because after all when a boy is sixteen he is not quite ready to start in life and sometimes the parents do not show very much interest in their children in that respect. Some of the boys go looking for work and they get a job to keep them for a week or a month and they go around looking for another job. It seems to me that they are not getting a proper start in life.

Q. I think we can assure these witnesses that the committee is alive to this situation. It is a very difficult time for boys and girls—between sixteen and twenty years. We realize that there should be some vocational schools.

I have rather monopolized the proceedings and I am going to stop now. If there is more time later on I have a lot of questions to ask.

(The following questions were asked of Chief Murdoch and interpreted by Mr. Prince.)

*By Mr. Charlton:*

Q. I will ask Chief Murdoch a question with regard to veterans. Of the 13,000 acres on the reserve how much of that land is workable?—A. Altogether the whole band has only about 100 acres.

The CHAIRMAN: Does he understand you? Mr. Charlton is referring to workable land. How much land could be worked if you wanted to make a farm. Of the 13,000 acres how much is workable land?

Mr. PRINCE: Of course they could work quite a bit but they would have to do a lot of scrubbing and bush work.

*By Mr. Charlton:*

Q. Are they willing to do that?—A. We give one of the boys a piece of land but they never go ahead with it. There would only be about one-quarter of the land available to proceed with farming.

Q. Is that cleared land—only one-quarter of the 13,000?—A. No, that is not cleared.

*By Hon. Mr. Stirling:*

Q. With regard to this point being discussed, is the reason the chief says they would like to have more land because the veterans are applying for it?

A. The people were paid by treaty in 1908, and then they got no more land and they kept them within their own territory. Those Indians should have their land as well as we do—that is what he said.

Hon. Mr. STIRLING: I wonder if Mr. Bryce would follow that up. Is that a fair statement of fact? Of these 13,000 acres only a fraction of it is broken, arable?

Mr. BRYCE: Oh, yes.

Hon. Mr. STIRLING: And there are veterans returning who would be glad to receive land, to take up land, to use land if that land were available. Now, the Chief brings in, as I understand it, another set of people who are applying for land other than that on the reserve; is that right?

Mr. BRYCE: I do not know. What other Indians do you mean?

Chief THOMPSON: The book says that.

Mr. CHARLTON: Apparently there has been another band which sold their land and who have been living on this reserve.

The CHAIRMAN: Mr. Prince, would you ask him that in his native tongue? (Mr. Prince examined Chief Thompson in Cree.)

The CHAIRMAN: Mr. Prince, would you tell us what he is saying?

Mr. PRINCE: I am going to cover that in one speech.

The CHAIRMAN: All right.

Mr. PRINCE: Chief Thompson says that in 1908 when the script was on there were more people taken into the band, nine families; which, of course, took in a large area for the reserve, and therefore the people of that reserve did not have enough land on the reserve and the reserve is too small for their present population.

The CHAIRMAN: If they have about 3,000 acres or more which is workable, is suitable for tillage, for the growing of crops, and there is only 100 acres under cultivation, why do they need more land? Will you ask him that, please?

Chief THOMPSON: Well, because they are entitled to have it. According to the treaty they were promised 100 acres for each family of five, and that is a small family.

The CHAIRMAN: That was the agreement made in 1908?

Chief THOMPSON: 1908, yes.

The CHAIRMAN: About forty years ago. That is just pure arithmetic. Have they had any division of families since then, or any multiplication of families?

Chief THOMPSON: Oh, yes.

Mr. BRYCE: I guess it is because the rising generation do not have any 100 acres; you see, the original 100 acres would be divided into 50's in the second generation, and for the third generation it probably has come down to only 10 or 12 acres apiece.

The CHAIRMAN: Mr. Prince, ask them why they do not cultivate now the land that is suitable for cultivation.

Mr. PRINCE: He says, if we had the power to do it we would do it.

Mr. CHARLTON: Chief Thompson, you mean by that "power machinery"?

Chief THOMPSON: Yes.

Mr. CHARLTON: To clear the land?

Chief THOMPSON: Yes.

Mr. CHARLTON: Apparently there are about 80 acres to a family now. At the time they first went in there, on the basis of five to a family, they had 100 acres per family. Probably the population is now down a little and that would make it better than 100 acres to a family.

Mr. BRYCE: Mr. Chairman, may I tell Mr. Charlton that there is a lot of land in there which is not arable, taken up by sloughs, and things of that kind. A lot of it is not good for anything except cattle grazing.

Mr. CHARLTON: Would that leave 20 acres of arable land per family now?

The CHAIRMAN: Mr. MacNicol, I do not think you were with us yesterday. Are there any questions you would like to ask?

Mr. MACNICOL: Yes, Mr. Chairman. I have a question or two I would like to ask, but I will confine my remarks to questioning the Fairford chief, Chief Anderson. Does the Fairford reserve go right up to the mouth of the river, to the source of the river in Manitoba?

Mr. ANDERSON: The reserve goes right up to the edge of lake St. Martin and lake Manitoba.

Mr. MACNICOL: I spent a week at Fairford. You may ask me what I went there for. I went there for two reasons. One reason was to investigate the way the Indians were being taken care of. When I was at Fairford there were just two stores there—not close together. One was operated by a Jewish family; and the other store is over near the English church, a little below the church. Just before I arrived there they had had their 100th anniversary church service. I met the chief. The chief lived down the river toward lake St. Martin. The river runs into what is called Partridge Gullet lake—that is what it is called because that is the shape it is, the shape of a partridge's gullet—then it flows into lake St. Martin. I went with the chief to find out all I could find out. There is nothing there in the way of general farming land. It is rocky all around the area. It is fit for hunting and fishing; but the minute you get away from the rocks you are in low land. I went up to my knees in water many times going around the reserve with the chief. You cannot farm there. As for cattle, they may have a few cattle, but where they raise anything to feed those cattle on in the winter time, I do not know.

The CHAIRMAN: You might ask them about that in Cree, Mr. Prince.

(Mr. Prince examined Mr. Anderson in Cree.)

Mr. PRINCE: Mr. Anderson says, true, in the reserve we cannot make much progress in agriculture. However, there are three islands on which we get a good supply of hay, there is good hay land on them. Also, on the west side of the reserve we cut hay, and to the north of the river we also have some good hay land.

Mr. MACNICOL: That is right, Mr. Chairman. On each side of the river there is hay land but there is little agricultural land that I could see.

Mr. PRINCE: As Mr. MacNicol points out there is no agricultural land.

Mr. MACNICOL: The words "Little Saskatchewan" were mentioned. Perhaps that ought to be explained. The "Little Saskatchewan" was sometimes the name applied to the Dauphin river and later on it was called the Dauphin river. That



river, in the summertime, is almost dry but I hope some day to see a canal across there. It will mean a lot of money to that reserve if we can divert the Saskatchewan river through Lake Winnipegosis, down through Lake Manitoba, down the Fairford river and down the Dauphin river into Lake St. Martin and thence by a power and ship canal to lake Winnipeg. That will be a big thing for the reserve.

The CHAIRMAN: I think the committee should go there Mr. MacNicol.

Mr. MACNICOL: I go and see things for myself.

The CHAIRMAN: I think the committee should go too.

Mr. CASTLEDEN: I would like to ask Mr. MacNicol how he found the Indian life?

Mr. MACNICOL: Not very satisfactory. The houses were all small. As Chief Prince said they may or may not have small gardens. I examined the places for gardens carefully. There was not much of anything in the way of gardens. When you got away from the village the land sloped down, it is very swampy land.

Mr. CASTLEDEN: How can they live there?

Mr. MACNICOL: I do not know, they must fish a little but when the councillor was talking I wondered where they could get fishing. Partridge Gullet is a very small lake but St. Martin is about 400 square miles. Lake Manitoba is very shallow and I just wondered myself how they could live. I want to say, Mr. Chairman, this brings it clear to the committee just what trouble the Indians have in existing on many reservations including this one which as "Scottie" (Bryce) knows is a poor reserve. Talking about cattle, I believe I saw one beast, but there could have been more than that.

Mr. BRYCE: You will see cattle there eating fish. It is caused through a lack of vitamins and in the winter time they will eat frozen fish.

Mr. PRINCE: May I suggest if you will permit me, that this committee go out to the province of Manitoba and see not only this one reserve, but you should look over each individual reserve and I believe you would see our point of view and try to better the living conditions of our people.

Mr. CASTLEDEN: Hear, hear. We thought we would go once upon a time.

The CHAIRMAN: We would like very much to go but you should understand the position. While the House is in session members of parliament have no time to go out. We cannot leave the House and when the House rises the committee dies. Unless there is a commission formed there can be nothing done of that nature. Last year there was a commission formed which went down to the maritimes and this year we have heard most of the Indians from the western provinces.

Mr. MACNICOL: What page is the commission report at, I do not believe I have seen it.

The CHAIRMAN: You obviously have not seen it because it has not been tabled. When it is tabled or approved by the members of the commission the evidence, around 800 pages, will be available. When it is ready it will be tabled in the House.

Mr. MACNICOL: May I ask Mr. Hoey a question now?

The CHAIRMAN: I wonder, Mr. MacNicol, could you wait? Mr. Hoey will be here later and Mr. Lickers has some questions regarding the permit system on this reserve.

Mr. MACNICOL: I am just going to ask a simple question. Will the rights of the Indians be protected if and when Saskatchewan river water is diverted via Lake Winnipegosis, through Lake Manitoba, down the Fairford river and down the Dauphin river to lake Winnipeg? By what process would their rights be

protected on that reserve as the result of the increased value of the land and the sale of the land for canal purposes? Would that be taken care of and how?

Mr. HOEY: If development encroaches on an Indian reserve, or if parties undertake development but are unable to come to an agreement with the band council or with the band itself, which has the power to make a surrender, then it will be referred to arbitration. We have had that come up many times in the matter of encroachment.

Mr. MACNICOL: Right at Fairport you will be able to develop 40,000 horse power and would their rights be taken care of and protected?

Mr. HOEY: Yes, but it may be a long time before that development takes place.

Mr. MACNICOL: It may be, yes, but we are going to advocate it.

Mr. LICKERS: I would like to ask Mr. Prince how the permit system works in Manitoba.

Mr. PRINCE: The permit system in Manitoba works through the Indian agents in most reserves.

(The following questions were asked of Mr. H. G. Anderson by Mr. Lickers, through the interpreter, Mr. Prince.)

Q. Mr. Anderson, how do you find the permit system working on your reserve?—A. I have a hard time getting a permit as my agent lives two hundred miles away and therefore I have to go to my farm instructor. When I go to the farm instructor he says to me "I must see my boss, the Indian agent, before I can give you a permit".

Q. How do they make a living on this reserve?—A. I have a hard time. Our people have a hard time to make a living in this reserve. One of the means of making a living on the reserve is digging up senega root and selling it. Then we sell hay from our reserve to make part of our living. If we had more animals for agricultural use I believe that it would be better for us.

Q. Where do you get the permits to sell hay?—A. I would have to go to my farm instructor before I could sell any hay and he in turn has to go to the Indian agent. At times he has permits to issue but at other times he does not and therefore he has to make a receipt for us to sell hay.

Q. Does he have to go 200 miles to the Indian agent to get the permit?—A. By going to my farm instructor and asking for a permit, at times I have to wait a long while to get my reply because of the 200 miles. Sometimes we are out of luck. Supposing that we wanted to sell a cow or to sell some hay and had a place to sell but we have to wait for the permit. When we get the permit we have lost the chance of selling and we are out of luck on the sale.

*By Mr. Matthews:*

Q. Is there any telephonic communication?—A. There is a telephone system there but we are not allowed to use it. The farm instructor has means of communication but he communicates through three different places. He can communicate right enough.

*By Mr. Lickers:*

Q. Who fixes the price for which they sell the hay or anything else on the reserve?—A. Anything that we have to sell we state the price and for anything we want to buy the seller states the price, and we have a mutual discussion on it. If we are satisfied with each other we put the bargain through but the price is not set by the farm instructor.

Q. Do you think the permit system is necessary on this reserve?—A. We would prefer to have the permit system on the reserve and be governed by our reserve. Then for hay and so forth we could get the permits faster and purchase or sell whenever we wanted to. We also have wood and woodcutting on that reserve and I think the reserve through the chief and the council should have control of the permits.

The following questions were asked of Chief John Thompson through the interpreter, Mr. Prince.

*By Mr. Lickers:*

Q. Now, Mr. Thompson, how do you find the permit system works on your reserve?—A. I lost a lot of money by not having the permits.

Q. How do you mean?—A. Mr. McPherson, the former Indian agent used to give me the permits that I may issue them. Now, this present Indian agent, F. M. Hughes, does not give me the privilege of handling the permits, so I lose a lot of currency by my band smuggling out wood; that is the only means they have. The Indian agent, Mr. F. M. Hughes, is not stingy with his permits, but he lives so far away from me. When the Indian agent sends these permits, that is the only time I have these permits.

Q. Did the system work out all right when he was issuing permits?—A. When I was administering permits, everything worked to perfection.

Q. Would you like that system to be resumed?—A. The Indian agent signed his name, put his signature on the permit and I filled on the permits whatever was necessary. I would prefer to have the control of the permits on the reserve and issue the permits, to make it perfection.

Q. Supposing a man dies on this reserve, can his children inherit the improvements on the land on which their father was living?—A. In my reservation, when the head of the family passes away, the man, the property is handed down to the family.

Q. Do they ever make wills?—A. So far as I can remember back, they have made wills.

Q. Who administers or looks after the estate of the person who has died?—A. The administration of the will is looked after sometimes by myself, as chief, and sometimes with a minister and sometimes with the agent, in whatever way is most convenient for the heirs.

Q. Does that system work out satisfactorily?—A. The present system is satisfactory.

Q. Is there any land not occupied by any individuals, members of the band? By that, I mean, is there any unoccupied land owned by the band?—A. The reserve is too small for the population of this Fort Alexander band, so there is nothing open.

Q. How many are living on this reserve?—A. The band on this reserve works by cutting wood and selling wood and some make their living by trapping and hunting, and some just go around bumming.

Q. What is the average income per family?—A. At the cost of living at this present day, nobody can make anything. They just make enough to barely exist.

Q. Is the chief always consulted, does he give his consent when anyone is added to band membership?—A. In my band, they are always consulting me for anybody who wants to become a member of the band. If I am not satisfied and my band is not satisfied with this member who wants to come into the band, then he is rejected. If it is favourable to one member of the band, we receive him into our band membership.



*By the Chairman:*

Q. If the band members cannot make a living now, why does anyone want to get into the band?—A. Most of the people who want to come into the band, to be members of the band, see there is a little work there at the paper company. The Manitoba Paper Company has leased the land from that reserve. It is not everybody who wants to become a member of the band. It is mostly those who selected their brides from the reserve who want to become band members.

**Mr. Thomas C. Prince recalled:**

*By Mr. Lickers:*

Q. What is the attitude of the Indian Association of Manitoba in connection with an Indian woman who marries a white man? What is your opinion as to whether she should still remain a member of the band and what should happen to her children so far as band membership is concerned? Have you discussed that?—A. At present, the status of an Indian woman marrying a white man or non-treaty half breed is she does not belong to the band. She more or less expects that her treaty should be kept up. In most cases to-day though, the Indian woman who marries a white man generally becomes enfranchised.

Q. She loses all her rights as an Indian with the exception of the annuity moneys?—A. Yes, when she marries a non-treaty man she loses absolutely everything except the \$5 annuity every year.

Q. Do you think that should be continued?—A. That is a very hard question for me to answer. In most cases it will come under the heading of encroachment of whites on the reserve. You see, when an Indian woman marries a white man or a half breed, whatever the case may be, she loses everything. She loses all her band funds interest; she loses practically everything except that she does not lose the \$5. She, herself, can get some of these advantages that the Indian gets. For instance, she can get hospitalization because she is still a treaty Indian.

Q. You would say that the provisions of the Act, so far as that is concerned, should stay the way they are?—A. Yes, just the way they are.

Q. What about the children of this marriage?—A. Well, at times, we find that the Indian woman who is married to a white man or a non-treaty man, even after she moves off the reserve, she still holds this annuity. She still gets these advantages as a treaty woman because she is a treaty woman and she produces her treaty ticket. In most cases when a white man marries an Indian woman, he takes her out of the reserve.

Q. So the children then would also be—A. They proceed as the father.

The CHAIRMAN: Gentlemen, it is now one o'clock so we will adjourn now to meet again at four o'clock this afternoon. At that time, we will have with us Mr. Hamilton, who is Inspector of Indian agencies for the province of Manitoba.

The committee adjourned at 1.00 p.m. to resume again at 4.00 p.m.

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#### AFTERNOON SESSION

The committee resumed at 4 p.m.

The CHAIRMAN: Gentlemen, there is a matter in connection with the delegation coming next week which I think should be dealt with at once. I refer to a letter from the Caughnawaga reserve. As you know we have allowed each province a stated number of delegates whose expenses are to be paid by the committee for their attendance before the committee. This particular reserve in Quebec through its chief councillor has written me a letter. I will read the letter.

I wish to appeal to you about the approaching presentation to the committee that there are at least six members of the council are desirous of attending the great occasion and be witnesses of the proceedings. We wish you to get in touch with the Indian Affairs Branch to have them supply accommodation by some hotel with meals for these councillors and travel expenses from the band fund. Hoping you can make this possible, I am looking forward to a favourable reply.

That is signed by Chief Mike T. Montour. Since this is to be referred to the branch would you like to give a direction now?

Mr. HOEY: We will look and see what shape they are in in their band funds and let them know.

The CHAIRMAN: We will refer this to Mr. Hoey. Would you take a note of it now? I will reply to it acknowledging it and setting forth the fact it has been referred to you.

Mr. CASTLEDEN: Is that a request from the band or just a group?

The CHAIRMAN: From the chief councillor, Mike T. Montour.

Mr. HOEY: They would have to have a resolution of the band.

The CHAIRMAN: Of course, this is coming off next week, and the reason I am bringing it up now is because they will have to know by to-day or to-morrow.

Mr. HOEY: They will likely come, anyway.

The CHAIRMAN: If I may so state I do not think it is advisable to allow one band to come at the expense of their band fund or of the committee and not allow bands from other provinces to do the same. I think we have set down a policy and should adhere to it.

Mr. BRYCE: Have some of the bands been paid out of band funds?

Mr. HOEY: A few of them.

The CHAIRMAN: Are we finished with questions?

Mr. BRYCE: I was going to ask Chief John Thompson this question. Yesterday when we were talking about land it came out in the evidence that there was a beer parlour on the reserve. I made some inquiries and I find it is a town with a pulp mill. Can you tell us how that was surrendered or the terms of the surrender?

Chief THOMPSON: It was leased some time in 1924. A former chief was the man who leased this piece of land. A couple of years after that this construction started. The Manitoba Paper Company started construction and a couple of weeks after that Mr. Dunn, the inspector, came down with some big shots from Winnipeg such as J. D. McArthur, and they leased 200 acres of land on the Indian reserve. After we had some discussion on these measures and brought up the question this land was sold to the Manitoba Paper Company. As a first break 86 acres were sold. That was the first break. That was 1926.

The CHAIRMAN: Probably when we have Mr. Hoey back on the stand he will be able to answer these questions.

Mr. BRYCE: I want to get the chief's version of it.

Chief THOMPSON: I have the agreement for the 86 acres right here. This is the one.

Mr. CASTLEDEN: Have you got the first lease?

Chief THOMPSON: That was the first break right here.

Mr. CASTLEDEN: Have you the first lease that was signed?

Chief THOMPSON: No, I have not.

The CHAIRMAN: I am sorry, but we have to break off for the time being as there is a vote in the House.

Committee resumed at 4.40 p.m.

Mr. BRYCE: When we were interrupted we were discussing the surrender of the land. I would like to find out whether the land was ultimately sold.

The following questions were asked of Chief Thompson:

*By Mr. Bryce:*

Q. Was the land sold?—A. \$15,000 was paid for it.

Q. For the eighty-six acres?—A. For the whole amount of that sale of lands. First there were eight-six acres and then Mrs. Robert Smith sold her lot of land along with the eighty-six acres and that would make the eighty-six acres and another one-hundred and sixty acres.

*By Mr. Castleden:*

Q. Who was the other person who sold the land?—A. Mrs. Robert Smith sold it to the Manitoba Paper Company.

Q. Was her land next to the reserve?—A. It was next to the sale lands.

Q. It was on the reserve?—A. Yes.

Q. She sold some reserve land?—A. Yes.

Q. How did this come to belong to her?—A. Her husband had held it a number of years and he died and she owned it after he died.

Q. Is your land allocated to the Indians?—A. Yes.

Q. Do you Indians sometimes sell that land to different people?—A. There was a party by the name of Antoine Guimond had another lot on the south side of this mission land. Another lot was sold to the Catholic missionaries by a man named Louis Fontaine.

*By Mr. Bryce:*

Q. Was that a ninety-nine year lease?—A. No, it was sold outright, but I do not know what the contract was.

*By Mr. Castleden:*

Q. Could that be sold, without permission of the band?—A. No it was through the chiefs and the councillors and there were some terms made when they sold the land but the terms were not fulfilled.

Q. Has the band got a copy of the contract?—A. The band had a copy when they sold the lands.

Mr. BRYCE: If it is a ninety-nine year lease they can never get it back if there is a town built on it.

The CHAIRMAN: That is why I suggested that you get as much as you could from this man and these other particulars can be obtained from Mr. Hoey. Chief Thompson has not the legal information on these things and when Mr. Hoey is on the stand we will get all that information.

*By Mr. Bryce:*

Q. What did you say about the original contract?—A. The original contract was for ninety-nine years. I inquired about this first eighty-six acres and this is the paper I got when I inquired.

Q. I think it is quite complicated and it may take quite a while to get through it. It says here "For your information I may say that the original lease covers 520 acres for which rental at \$2 per acre per annum was paid for three years".

The CHAIRMAN: What are you reading from?

Mr. BRYCE: From a letter from the Department of Mines and Resources, Indian Affairs Branch, Ottawa, June 24, 1938.



The CHAIRMAN: Who is it signed by?

Mr. BRYCE: The letter is signed by Mr. T. R. L. MacInnes and it is addressed to Mr. McPherson the agent at Selkirk.

The CHAIRMAN: Is it an original or is it a copy?

Mr. BRYCE: It is a copy.

The CHAIRMAN: Do you not think we could get the original and get the story authentically instead of just taking a copy of one letter.

*By Mr. Bryce:*

Q. Where are the original letters?—A. They kept the original letters at the office of the agent.

Q. Perhaps I had better finish reading the sentence in the letter?

The CHAIRMAN: Yes.

Mr. BRYCE: "In 1926 the Indians were paid \$1,800 and also received supplies amounting in value to \$1,320."

Q. Now what supplies did you get?

The CHAIRMAN: Chief Thompson you had better go back and sit down so that we can hear you from here.

Mr. BRYCE: Supplies were for building materials?

Mr. THOMPSON: Yes.

Mr. BRYCE: And they would be used for building houses?

Mr. THOMPSON: For building houses, yes.

Mr. BRYCE: I think we have enough of this.

The CHAIRMAN: That is fine. Can we now call Mr. Hamilton? We will ask these gentlemen to retire and we will call Mr. Hamilton.

**Mr. Andrew C. Hamilton, Inspector of Indian agencies for the province of Manitoba, called:**

*By the Chairman:*

Q. Now, Mr. Hamilton, you are inspector of Indian agencies for the province of Manitoba?—A. Yes.

Q. How long have you been with the Department of Indian Affairs?—A. I was appointed in June of 1926.

Q. What was your position at that time?—A. I was in charge of farming and stock at the Indian school at Brandon.

Q. When were you appointed inspector of Indian agencies?—A. In June of 1926.

Q. That is the time you were appointed. What was your occupation before that time?—A. I was at Brandon as farm instructor and in charge of stock.

Q. When did you first come to the Department of Indian Affairs?—A. In June of 1926.

Mr. HOEY: Mr. Chairman, I might explain that he was working for the United Church as an employee at the Brandon residential school and applied for appointment to the department.

*By the Chairman:*

Q. I see, so at that time you were not employed by the department?—A. I was not a civil servant.

Q. You were not employed by the department?—A. No.

Q. You were employed by the church?—A. Yes.

Q. You have, of course, been interested in Indian matters for a long time, how long?—A. Six years before that.

Q. Prior to 1926?—A. Yes.

Q. And you were a farm instructor?—A. I was in charge of agriculture and stock.

The CHAIRMAN: I see. Are there any other preliminary questions? If not we will ask Mr. Hamilton to proceed. Have you something you would like to present to this committee, Mr. Hamilton?

The WITNESS: I just have a short report.

The CHAIRMAN: Could you let us have a copy of that, please?

The WITNESS: Certainly.

Mr. Chairman and members of the committee:

### MANITOBA INSPECTORATE

The Manitoba inspectorate includes eight agencies in Manitoba with 56 reserves and three agencies in northwestern Ontario with 45 reserves, a total of 101 reserves with approximately 25,000 Indians. These reserves are dotted over a vast country, the extreme south being the United States boundary, the northern point being Duck Lake, 120 miles north of Churchill. In the west six reserves are in northeastern Saskatchewan and the most easterly reserve in Ontario is Ogoki, 280 miles northeast of Sioux Lookout. Many of the reserves are in unorganized territory without roads and the only means of travel is by air or water.

You might be interested to know that the staff in my office up till January of last year consisted of two members, a stenographer, Mrs. Mathewson, and myself. We received during 1946 over 3,200 letters, sent out 2,500, together with 340 vouchers. More than 1,600 reduced fares were issued, as well as 125 free ones. These latter were given to patients travelling to and from Winnipeg for medical treatment. Purchases were made of stock, seed, and farm equipment, inspections and investigations made and reports submitted, the estimates for the entire inspectorate checked, the Indian prize list for the Brandon Provincial Fair prepared and over 120 copies mailed to agents, school teachers and farming instructors. Interviews were given to Indians, teachers, missionaries, city welfare workers, city police, mounted police and reporters. I attended juvenile court as requested and board meetings for both the Dynevour and Clearwater Lake hospitals. I regret time will not permit enumerating the other multitude of duties, some of which I admit may appear trivial, but nevertheless require time and careful consideration.

The Indian population might be divided as follows:

#### 1. Farmers

Last year the crop harvest was as follows: wheat, 36,000 bushels; oats, 100,000 bushels; barley, 85,000 bushels; flax, 18,000 bushels—a total value of approximately \$230,000. Last year we were able to break 1,300 acres of new land, more than half of which was covered with brush and trees. The Indians comprising this class have, I believe, the best chance of obtaining a year-around living. They must, however, be prepared to do some mixed farming and to realize that making a good living is a full time job which demands their attention for 12 months of the year.

Mr. CASTLEDEN: Could you give us the number of farmers?

The WITNESS: I am afraid I could not, offhand.

## 2. *Labourers*

The war increased the number in this class. The demand for farm help, bush men, miners, farm labourers, packinghouse workers, and sugarbeet workers was urgent. Pay was high and so many Indians left their reserve and our garden program was badly wrecked. However, these Indians lived well. They provided themselves with good clothing but, unfortunately, few saved any money. They did, however, render excellent service to the country. Now that the demand for help is lessening the Indian is finding himself out of work. Re-adjustment of this class is difficult.

## 3. *Fishermen*

Many Indians work for fish companies on monthly wages. Few have their own equipment. The small fishermen find it hard to compete with the large outfits. He finds his nets surrounded by hundreds of those of the large outfits. As a result his catch is poor and he becomes discouraged. Few fishing privileges are granted to Indians. In commercial fishing he must compete with the big fishermen, must purchase the usual licence and observe all regulation. If certain waters adjacent to the reserve were restricted for Indians and half breeds who are permanent residents within a given area this would be a real protection. Some action along this line should be considered.

## 4. *Trapper and Hunter*

Many Indians feel, and rightly so, that their trapping grounds have been taken from them. The northern Indians, especially those of The Pas area, are well provided for. Mr. Allan is in charge of the fur farming and can best report on this magnificent piece of work. Some bands located in the south still must depend on trapping to supplement their income. These bands have no farming land and although they do some fishing, this is only seasonal and for many the returns are small. Examples of this class are Pine Creek, Fairford, Little Saskatchewan, and lake St. Martin. A thorough survey of the inspectorate would discover many others both in Manitoba and Ontario. Many Indians throughout the inspectorate feel that the department should give more security and protection in this field than has been done in the past. They just do not understand, or will not understand, that game and fisheries regulations come under the provincial government, and the few that are fully aware of the situation hold the belief that the department has not worked in the interest of the Indians. The fact is ever present that poor trapping and hunting means hardship and it is little wonder that many bands of Indians look into the future with many doubts and misgivings.

I think we all realize there is much room for improvement and advancement in relation to our Indians. However, I maintain that during the past 20 years there has been marked improvement. New and better schools have been built, both residential and day schools. At the outbreak of war most of our teachers were qualified with some years of teaching experience. The depression years were hard on the Indians and whites alike, but home conditions did improve. Many new homes were erected and in many cases assistance was granted from the government in the way of shingles, roofing, flooring, windows and doors. Farming has increased and one of the outstanding features is that the quality of the farming shows marked improvement. In many cases it compares favourably with that in the surrounding white district. This better farming has resulted in heavier yields and a larger income.



If it is permissible, I should like to give an example of what I mean in connection with the Griswold Agency. In 1937, we had 1,700 acres under cultivation and the crop was 20,000 bushels and the revenue \$14,000. Nine years later we had a total acreage of 3,500 acres. Our increased crop was 61,000 bushels, three times what it was and the income was \$53,000 instead of \$14,000.

Mr. BRYCE: How did the price compare?

Mr. MACNICOL: What were those figures?

The WITNESS: In the first case we had an acreage of 1,700. We doubled that acreage. Our bushels from the 1,700 acres were 19,000 and for 3,500 acres were 61,000.

Mr. BRYCE: How did the price compare from the one period to the other, just roughly? Tell us the price of wheat and then we can guess.

The WITNESS: Undoubtedly there was a large increase in the price in this last figure, but I was not so much concerned about that.

The CHAIRMAN: The 19,194 bushels gave a return of \$14,073. The 61,000 bushels gave a return of \$53,184.

The WITNESS: The Indians are better dressed and have more food and a greater variety. Health conditions are better, and with few exceptions returns show an increase in the population. We have many cases of T.B. but the bad gland cases so prevalent 20 years ago have practically disappeared.

Mr. BLACKMORE: Mr. Chairman, is this covering the whole Manitoba situation?

The WITNESS: This covers the Manitoba inspectorate which takes in three reserves in the northwestern part of Ontario.

Mr. CASTLEDEN: Three agencies, you mean?

The WITNESS: Yes.

The CHAIRMAN: There are 50 some odd reservations in Ontario?

The WITNESS: Forty-five, I think.

We have more full time doctors and nurses and more hospitals. To-day a greater number of Indians are being treated for T.B. in sanatoria than ever before.

I should like to depart again from this brief for a moment. In connection with the hospitalization of Indians I should like to say that fifteen years ago we had one hospital, at Norway House. To-day, we have Norway House. We have Clear Water Lake with eighty patients which will be increased to 150 this year. We have Fisher River with 35; we have Dynevor Hospital at Selkirk with 50 patients; we have Pine Falls with from 18 to 20 and we hope to have another hospital at Brandon to accommodate roughly 200 patients. Therefore, within the near future we should have accommodation for around 500 to 600 patients.

Mr. MACNICOL: Did you mention the one at Winnipegosis?

The WITNESS: We have no hospital there.

Mr. MACNICOL: There is an Indian hospital there, Crerar Hospital.

The WITNESS: Those hospitals to which I referred are the hospitals owned and financed by the department.

In addition we now have the family allowance which indeed has been a blessing to many large families. The children are better clothed and we find they have a more varied diet. I am convinced this extra food will in time greatly improve health conditions.

Now, if I may, in closing I would like to outline certain observations which I believe if followed would bring improvement and tend to hasten the day when our Indians can take their rightful place among their white neighbors.

1. We must for a few years at least forget the dollar sign and remember we are dealing with human beings. A white parent will pay to educate his child and send him to college perhaps at a cost of four to six thousand dollars. The cost does not so much matter if the child is fitted for life. The cost to fit the Indian should not constitute first consideration. We should not expect too much or expect it too soon. It has taken over two thousand years to reach our standard and we can hardly expect the Indian to reach it in from 80 to 100 years. I want to impress on you the fact that any worthwhile program must be a long range program extending over many years and so it will be expensive. A large amount of money will be required.
2. The children of school age number about 5,000 and of these approximately half attend school. It is quite apparent our task is far from ended. We need many schools but I believe our greatest need is for trained and qualified teachers and with their training there must be a devotion and a love for a great work—namely, the guiding and moulding of our Indian boys and girls in a way of life so that they can take their place anywhere among the people of Canada. The program of study, in my opinion, should lay stress on the following:
  - (a) Pride—in self, in home, in school, in church, in reserve and associates.
  - (b) Value—of time, of home, of reserve, of work, of money and of friends.
  - (c) Health—from all angles with emphasis on hygiene and sanitation.

These studies should start in Grade 1 and follow all through school and again on the reserve by welfare workers. Social training should be provided for boys and girls between the ages of 16 and 20. Now they are left to flounder about on their own with the result that only a few gain any advanced education. A well designed and varied program of work should be a matter of serious consideration and should be put into effect as soon as possible. The training for these young people should be thorough and complete and if necessary cover a two- or three-year period. Students should graduate as:

- (a) First class carpenters
- (b) First class mechanics
- (c) First class tinsmiths
- (d) First class plumbers
- (e) First class blacksmiths
- (f) First class farmers

3. We need more workers as supervisors. In my Inspectorate I am convinced we could use to advantage 15 or 20 men—men as farming instructors; men as Reserve supervisors to help the Indians with fishing, trapping, logging, and building; men for special welfare work; men to act as stockmen; and the odd few as assistant agents.

4. We need many new schools and this will involve heavy expense.

5. We need assistance in farming equipment, cattle, fishing equipment, and in trapping,—assistance under good supervision, assistance not as a heavy debt (and with interest) to be a millstone about the Indian's neck. We should not forget that this assistance is part of our educational program. The returns will come in the future years when the Indians take their place as outstanding citizens. We know the need for an educational program is urgent and is of paramount importance in the solution of our Indian problem. Funds must, therefore, be provided year after year until we have fully discharged our duty and responsibility.

6. We should give more attention to the old and helpless. In my opinion they need a more varied diet and a better supply of clothing. In many cases some of these people should be placed in homes under supervision. Perhaps they would be happier if such homes were provided on the reserve rather than placing them in large city institutions.

7. Special consideration and special concessions should be granted in relation to fishing, trapping, and hunting. To many Indians this is their natural and only means of earning a living, and I am definitely of the opinion that such considerations should be looked on as their rightful heritage regardless of the claims submitted by those who would push the Indian back until his means of livelihood is altogether inadequate.

8. Community centres are needed where welfare workers can get the Indians together for talks, lectures, educational pictures, games, and for reading. Suitable books should be provided as well as a few magazines. Clubs could be organized both for the men and women and these clubs could be directed to undertake a varied and useful program of work.

9. I believe many of our agents and field men have often useful and helpful suggestions. I think letters received at headquarters should be given careful and sympathetic study. In this way I believe our men would be encouraged to greater effort. Speaking for myself, I am confident that anyone trying to do justice to 25,000 people needs more quiet time for careful thought and study. The volume of work carried on and expected by Ottawa does not make this possible.

Gentlemen, I hope that in this report you will find useful information and I trust that somewhere in the future program some, at least, of the suggestions will be incorporated.

A. G. HAMILTON

*Inspector of Indian Agencies  
for Manitoba*

The CHAIRMAN: Thank you very much Mr. Hamilton. Are there any questions you would care to submit to Mr. Hamilton?

Mr. BLACKMORE: I would suggest Mr. Lickers be allowed to ask questions first.

Mr. BRYCE: I would suggest Mr. Lickers question Mr. Hamilton first. Perhaps he will cover many of the question we have.

Agreed.

*By Mr. Lickers:*

Q. Where is the head office of your inspectorate?—A. Winnipeg, Manitoba.

Q. Do you find time to make a complete visit to the different reservations or agencies in your inspectorate?—A. I have visited all the agencies in my inspectorate? There are a few reserves, probably four or five which I have not yet visited.

Q. How often do you visit the agencies?—A. The remote ones, some of them I have only visited once.

Q. You have been there since 1926?—A. No, I was in Regina for six years prior to going to Winnipeg.

Q. How long have you been in your present inspectorate?—A. Fifteen years.

*By the Chairman:*

Q. Will you tell us why you have not visited these places, Mr. Hamilton?—A. Lack of time.

Q. Would the lack of assistants be a factor too?—A. Yes, a certain amount of time is demanded of me in the office.



*By Mr. Lickers:*

Q. In any of your duties can you arrive at a decision yourself in connection with any matters which may be referred to you by an agent?—A. Oh, many of them, I can because I know the regulations from Ottawa. Guided by them I can make a decision.

Q. You mean you receive certain regulations from Ottawa?—A. I know the policy which has been outlined in connection with certain work.

Q. Would you give us some idea then as to some of the things upon which you can give a final decision?—A. There may be a housing program undertaken. Last year we did undertake a program. I had full instructions from Ottawa to make decisions in connection with the amount of money that could be allotted to various agencies, and how it should be spent, without referring it back to Ottawa.

Q. You were instructed from Ottawa?—A. Yes.

Q. In the first instance in connection with this programme?—A. All my instructions come from Ottawa, yes.

Q. You gave us a rather comprehensive report. Do you make a report like that each year to Ottawa?—A. I will not say I make a report like that, but I make various reports of a similar nature relating to definite agencies.

Q. Do you receive a yearly or monthly report from the different agents?—A. No. I receive fairly regular reports every three months which would probably be two or three pages in length.

Q. Do you decide the policy for the inspectorate which you cover?—A. The policy?

Q. As far as administration or any programmes that may be undertaken?—A. I do not know as I exactly understand.

Q. For instance, you say you require additional schools?—A. Yes.

Q. Have you at any time made a demand upon Ottawa as to where those schools should go?—A. On various occasions it is drawn to the attention of the department in my reports after an inspection.

Q. And after you go around and inspect places and you find no school there then what do you do, just let the matter drop?—A. It has been brought up on several occasions. I am not prepared to say it is brought up every time I come back from an inspection.

Q. Do you ever try to put pressure on the department here to get some of the recommendations which you have made carried out, and if so, what was the result?—A. As far as I am concerned I find that the department has measured up fairly well according to the amount of money they had to distribute. I have no complaint as far as Manitoba is concerned. I am sure we get our share.

Q. Do you at any time in your yearly report set out what you require from the department together with a budget as to the amount of money you think will be needed for your inspectorate?—A. We prepare and send in the estimates each year of what is required.

Q. It might be interesting if we could see your estimates for last year.—A. I am sorry, I have not a copy of it with me. It is prepared at each agency by each agent.

Q. And then sent in to you?—A. And then forwarded to Ottawa.

Q. You do not compile the reports from the agents? You just send them right straight on to Ottawa?—A. That is correct.

Q. Do these different agents in their reports set out a budget as to what they may require for the following year?—A. That is correct.

Q. And suppose they do not get that; do they come back to you and ask you the reason why?—A. Probably they do not come back to me. It is more or less accepted that the reason why is because sufficient appropriation has not been passed. The agent very often writes and points out that he has put certain things in the estimates and asks if it is available, and it is possible that a sufficient appropriation has not been passed in parliament to allow it.

Q. If they hollered loud enough and long enough perhaps they could get a larger appropriation, or do they just take the attitude that they make this recommendation once, and if nothing is done they do not bother making it again?—A. I think our estimates each year will fairly well prove that they are not sitting down and taking that attitude. I think it is just the same with the department at Ottawa. They may prepare these estimates but when it comes before parliament they are not always passed to the extent that is desired.

Q. Taking the reserves in your inspectorate as a whole I imagine that in the southern part especially the Indians make a fair living?—A. In the agricultural part they have a better chance.

*By the Chairman:*

Q. Before you go away from that are these estimates you are talking about estimates of government expenditure or are they of band funds?—A. It is government expenditure.

*By Mr. Lickers:*

Q. North of the agricultural district are the Indians there able to make a fair living?—A. At times, depending upon the catch of fish and the catch of fur and the prices.

Q. Then north of that in the remote north are they making a fair living?—A. I might make the same remarks there except as you go further north hardship will increase; if hunting that is, meat, is scarce and they are not able to get the quantity of meat they want then conditions become worse.

Q. You mentioned the fact that a lot of the Indians depend on hunting and fishing, and that you realize that some of their traplines or fishing rights have been taken away. Have you personally done anything about trying to get those back or have you tried to make some arrangements with the provincial authorities to assist the Indians in getting trapping and fishing rights back?—A. I have met the provincial authorities on many occasions. Mr. Allan and Mr. Conn here spend practically their whole time at that.

Q. Was that the situation 15 years ago as far as their hunting and fishing rights were concerned?—A. Probably it was similar and yet it was not as noticeable then because game and fish were more plentiful.

Mr. REID: I should like to ask a question along the same line. Has any data been tabulated as to the quantities of fish at present caught by the Indians compared to 5, 10 or 20 years ago? That is important. We have a statement made before this committee that the fish are gone since the white man has come in. I know conditions are not the same in Manitoba as they are in British Columbia, but I am interested in knowing that because the statement has been made frequently by Indians from Alberta, Saskatchewan and Manitoba about fishing. I have often wondered if a tabulation has been made regarding the fish caught by the Indians. I can tell you in British Columbia how many fish sockeye salmon, the Indians take every year, over the past eight years. We have that record. I refer to the inland fishing. I do not mean fish on the coast taken commercially. I am thinking of fish taken for food. I am wondering if any tabulation has ever been made in Manitoba because that is a broad statement. I am not disputing it. I am just seeking information.

Mr. HOBY: There is an annual statement. You will find it in the branch annual report. It goes back probably to confederation and shows by provinces the year's earnings from fish, wages earned, the value of beef sold, the value of farm products, what is earned from other industries, and annuities.

The CHAIRMAN: That is commercial fishing, is it not?

Mr. REID: In the early days of the Indians they caught fish for food and for the requirements of the family, to feed the dogs, to put it into traps for

animals. There was no commercial fishing as we know it now. As time has gone on, particularly in the prairies, the white man has come in and has started to fish in the lakes. The statement is made that the living of Indians from the fishing has been taken away from them. I am wondering if any tabulation has been made.

The CHAIRMAN: Do you know of any tabulation?

Mr. HOEY: Yes, there is an annual tabulation that appears in the branch report each year.

The CHAIRMAN: Is that satisfactory?

Mr. REID: I did not hear. Would you mind repeating that.

Mr. HOEY: There is an annual tabulation, a copy of which is in front of Mr. Reid now. That goes back to the first annual report.

*By Mr. Lickers:*

Q. Now then the Indians north of the agricultural districts are rather poor, are they not?—A. There are many Indians in some districts in the north who are as well off as the Indians in the south but their living each season depends largely on either fish or fur.

Q. Could I make this general statement. As a general rule the average income of the Indians north of the agricultural belt is very low and they have a bare subsistence level?—A. I would not like to say that.

Q. You would not say that?—A. No.

Q. For instance, do you know Mr. Prince's reserve?—A. Yes, I know it well.

Q. The Brokenhead reserve?—A. Yes, sir.

Q. What facilities are there on that reserve by which they can make a living?—A. There is some good agricultural land on the reserve. They have, in the past, had quite a quantity of good pulpwood and firewood which is marketable, and for a number of years some of those Indians have worked out in the beet fields and in the market gardens near the city of Winnipeg. Each fall a number of them engage in gathering wild rice.

*By the Chairman:*

Q. You said a moment ago there was a quantity of land suitable for cultivation. What do you mean by that? How much of it is there; what is the total area of the reserve; do you know?—A. No, I do not. The trouble with making a definite estimate is that some of the land is subject to flooding.

Q. Tell us how much land there is which would be suitable for cultivation and how much has been cultivated?—A. I doubt if there has been at any time more than 200 or 300 acres under cultivation and I believe 500 or probably more would be suitable for agricultural purposes.

Mr. LICKERS: About 500 acres would be suitable for cultivation?

*By the Chairman:*

Q. What do you mean by suitable, is it cleared?—A. No.

Q. Then it is not suitable for cultivation. It is not suitable for growing crops and I suppose that is what you would call cultivation.—A. I am not sure of how much land would be affected with the high water and it makes it very difficult to say that 1,000 acres is fit for cultivation. It might be that 1,000 acres would be suitable this year but only 500 next year.

*By Mr. Blackmore:*

Q. How many Indians would be looking to that land for sustenance?—A. There would be about 200.



Q. I did not hear that. How many Indians would be looking to that land for sustenance?

Mr. PRINCE: I think I could clear up a little of Inspector Hamilton's statements if I would be permitted. In the Brokenhead reserve we have 13,611 acres. The populace of this band No. 4 is 211. I stated in my evidence that there was a large fire which destroyed the biggest and best part of our timber areas, especially on the south side of the river. I would say that 1,000 acres would be ready for cultivation except that there are old stumps which will have to be gathered and there would be a slight delay for taking them off. I suggested to the Indian Affairs Branch that the Brokenhead reserve might have an Indian administration or an association of three or four who could go in there and start on a project which would even work within one year.

Mr. BLACKMORE: How much land is now broken.

Mr. PRINCE: Right now I would say they only have gardens.

Mr. MACNICOL: Is there no farming?

Mr. PRINCE: There has been no farming, but I do know of two Indians specifically who have now gone into farming.

Mr. BLACKMORE: And how much land have they broken do you know?

Mr. PRINCE: I know they have about 50 acres at least in the process right now and they are breaking more.

Mr. BLACKMORE: Are there no crops?

Mr. PRINCE: No, there are no crops. I believe my own chief, while I was away from the reserve in the armed forces, tried to bring in a suggestion of this sort.

Mr. BLACKMORE: Well, Mr. Chairman, what are they living on.

Mr. PRINCE: The band of the Brokenhead Indians are living on the cutting of wood in the winter time but this summer, as a matter of fact, I cannot tell you what they are going to live on. In the year 1946 there were twenty-one members of our band who trapped in the Netley fur rehabilitation block. This year we had only six members of the band and they had to trap over twenty miles away from our reserve.

Mr. BLACKMORE: Why was the number so much less?

Mr. PRINCE: You will find that I said in the submission that I made regarding hunting and trapping: "Why is it we cannot trap muskrats in our trapping grounds? Just west of the reserve has been our hunting and trapping grounds all our lives. Now not even one treaty Indian is allowed to trap here but just the white men can trap here."

I can prove there has not been one Indian trapping in that part of the fur rehabilitation block at Netley, which is just west of the reserve. Six members of the band of the Brokenhead reserve trapped twenty miles south of the Brokenhead. The reason why the rest of the band did not trap is that a lot of them are old and they cannot get around and stay in tents up there away from their homes. This game guardian, Mr. Longbottom, who is in the mission house there, stated and pointed out to the band we would have to go twenty miles away to trap for fur.

Mr. BLACKMORE: But the white man may trap close to the reserve?

Mr. PRINCE: The white man can trap right next to our reserve.

The CHAIRMAN: All right, Mr. Lickers.

*By Mr. Lickers:*

Q. You say one of the requirements is a long-range programme. Have you ever figured out what you would require in the way of a long-range programme and in what form that programme should be?—A. You mean with respect to money?

Q. With respect to money, hospitals, schools, and anything like that. Have you worked out a plan or submitted something to the government?—A. Not as a long-range programme. It usually is just in the estimates each year.

Q. Can you give this committee any help?—After all, this is your inspectorate and you have closer contact with it than anyone else. Could you some time in the future perhaps, give this committee any help as to what you require in the way of a budget? Would you, in fact, budget your requirements by way of the number of schools and where they might be and things like that?—A. Yes, I could do that. I understand \$300,000 have been allotted to Manitoba for a five year programme in housing. I think it should be \$300,000 a year instead of for a five year programme.

Q. Have you asked for \$300,000 a year?—A. I thought we were very fortunate to get what was granted.

Q. In other words, you just took what you got and let it go at that without pressing it too much.

*By Mr. Case:*

Q. You put in some budget?—A. Absolutely, every year.

Q. But you did not ask for \$300,000?

*By Mr. Blackmore:*

Q. May I interrupt Mr. Lickers for a moment. I want to put this in such a way as to be as fair as possible to you. Do you think it would work against you if you did ask for the amount of money you felt you really needed?—A. I do not think it would.

Q. Have you ever asked for just the amount you thought you really did need for everything that had to be done in a given year?—A. I think in the years gone by we have asked for what we thought we could use in those years. The idea of such an extensive undertaking as you speak of now was not presented before.

Q. What do you mean by "what you thought you could use"? Do I gather you cannot spend money in Manitoba for housing?—A. We found during the depression years that money was very difficult to get.

Q. It was not a question of your ability to use it?—A. No. Then the war came on and it was still difficult to get. We were told to economize and that money was not available and during the war money was to be used for war purposes.

Q. What you should have said was, "what you could get" rather than "what you could use". So at the present time you have an extensive programme to be carried out?—A. Yes.

Q. How long has that situation existed?—A. It has been growing over the years.

Q. Over the last fifteen years?—A. The last fifty years.

Q. The last fifty years?—A. Possibly, yes.

Q. You have not been there for the last fifty years. I was just thinking if it were in existence then you would have had some background from which this programme could have been carried out. Could you get that ready for us some time?—A. Oh, yes.

Q. Now then, you require some fifteen or twenty men?—A. At least.

Q. It would require that properly to staff your inspectorate?—A. That would be a start.

Q. Would it properly staff your inspectorate?—A. As the work grows more men would be required.

Q. Are any employees in your inspectorate Indians?—A. Not to my knowledge.

Mr. MacNICOL: Why Not; Indians make good agents. Take a man like Mr. Prince here; he would make a good agent, he would fit in almost anywhere.

*By the Chairman:*

Q. Mr. Hamilton, have you any authority to appoint agents?—A. None whatever. I am just a civil servant.

The CHAIRMAN: That answers that then.

Mr. CASE: If I might interrupt; do you mean that fifteen or twenty additional employees would be required?

The CHAIRMAN: That is right.

*By Mr. Lickers:*

Q. Yes. Are any of your school teachers Indians?—A. Not at the present time.

Q. Any of the nurses in your hospitals Indians?—A. Not to my knowledge, at the present time.

Mr. LICKERS: That is all the questions I have.

The CHAIRMAN: We have fifteen minutes left. What is your pleasure.

Mr. MacNICOL: I should like to ask a few questions.

The CHAIRMAN: Shall we divide the time and start with the Manitoba members?

Mr. CASTLEDEN: Are we sitting to-night?

The CHAIRMAN: We cannot sit to-night, unfortunately, whatever the committee wants.

Mr. BLACKMORE: I have used my time, so I will give way to someone else.

The CHAIRMAN: Shall we allow, say, three minutes to each one?

Mr. CASTLEDEN: How many Indians have you in the reserves under your inspectorate?

The CHAIRMAN: Just a minute; who is going to start. We started to the right this morning, I think we should give each member three minutes and start the other way this time.

*By Mr. MacNicol:*

Q. I will take this opportunity of telling Mr. Hamilton that I have been very much enlightened by his remarks. He has certainly shown us one reason why Indian Affairs is in such a shape as it is. I have only one question. You mentioned the Black River reserve?—A. That is one of the reserves.

Q. That is in Ontario?—A. Yes.

Q. Where is it? By that I mean, how far is it from, let us say, Winnipeg?—A. I cannot give you an exact location. I think it is 280 miles northeast of Sioux Lookout.

Q. That would mean that it would be about 100 miles from the Jackfish reserve?—A. I am sorry, I can't say.

Q. How many of the reserves in your inspectorate are north of the Nelson river? They run right through. And, you know, there is good fishing, especially up in the northern part of that country. I know north of the Saskatchewan and



the Nelson and above the lakes there, there is lots of fish, but it is all monopolized by the commercial fishermen. What can the Indian do?—A. He can fish commercially.

Q. Can he put traps in there?—A. They have no traps. Probably they would work for one of the big fishing companies.

Q. Just one final remark; are the schools under your control?—A. Yes.

Q. Do you know the Spruce Lake school?—A. Yes.

Q. That was closed about a year?—A. I think it was because they were unable to get a teacher.

Q. I know I visited that among other reserves up there and the Indians are doing a pretty good job. I know when I was there there was a sort of celebration on and I remember they had the Union Jack flying upside down. I also remember that the layman there did a very good job of preaching. You have quite a number of them in church work?—A. Quite a number, yes.

Mr. MACNICOL: I will not take any more time. I am greatly enlightened by the statement Mr. Hamilton has given us.

The CHAIRMAN: Mr. Case?

Mr. CASE: No, I have no questions.

The CHAIRMAN: Mr. Bryce?

Mr. BRYCE: Yes. I would like the inspector to tell the committee in a couple of minutes how they exist in some of the poor reserves in Manitoba, don't bother to go into Ontario, just Manitoba. How do they eke out an existence on the land they have? I think you will agree with me it is a bare existence they get.

The WITNESS: It is. They could hardly exist except for the fact that they go out and do a bit of work in the settlements south of the reserve.

*By Mr. Bryce:*

Q. If they want to live they have to go out from the reserve and work?—A. Exactly.

Q. Tell the committee what you pay for a hospital bed. You pay so much at Brandon. I think they held you up for a little more at Brandon. At some of the other places you pay \$1.25 and some places \$1.50; is that the case?—that is, for the sick Indian who has to go to a hospital other than your own Indian hospital?—A. I think, Mr. Bryce, maybe Dr. Moore should answer that question. He could answer it better than I could.

Q. If there is an Indian who takes sick up in the northern part of Manitoba, say around Norway House, what do you do? Does someone there telephone or telegraph to you and do you in turn telegraph to Ottawa to see if they can get down to Winnipeg for an operation?—A. Not always. I would say at the present time, not at all. The reason I say that, Mr. Bryce, is that at the present time they have a regional supervisor for medical affairs stationed at Winnipeg.

Q. That is something new?—A. Just beginning, new this year.

Q. Is it new within the last year?—A. Yes. He is a medical man and can make decisions better than I could.

Q. You really do not have anything to do with the medical services now?—A. Not in the sense that I had before, no.

Q. You still have a little, though?—A. Yes.

Q. Is there a clear line; have you any way of drawing a line; is there a situation where somebody might die in between while both sides were trying to make up their minds?—A. There is nothing like that; you may be quite sure of that.

Q. Well, this supervisor you mentioned; does he do the work you previously did?—A. He does it, more than I did.

Q. He does more than you did?—A. Yes.

*By Mr. MacNicol:*

Q. I want to ask you a question there; you referred to some hospitals that are operated by the department?—A. Yes.

Q. Are they operated directly by the department?—A. I think, again, I should let Dr. Moore answer that question.

Q. Are they operated by some local organizations?—A. No, they are operated by the department, or by a committee made up of members of the sanatorium board of Manitoba.

Q. This is my last question, I don't expect you to answer it unless you want to. I am one of those who want to see the hospitals back under Indian Affairs, not under National Health. Would you care to pass an opinion? It looks to me as though there was a kind of overlapping jurisdiction in the two departments.—A. Well, Mr. MacNicol, it appears to be one work for one class of people; and, personally, I think it should be together.

Mr. MACNICOL: I agree with you.

*By Mr. Castleden:*

Q. How many Indians have you in your inspectorate?—A. About 25,000.

Q. That includes Ontario?—A. Yes.

Q. How many agents have you?—A. Eleven, including some in Ontario.

Q. How many farm instructors?—A. Ten, including Ontario.

Q. And they have to handle 101 reserves?—A. The farming instructors I have are stationed on one reserve but they may have charge of two reserves. They live on one. Or, in one case, one instructor is in charge of three reserves.

Q. You would have to have more than that to cover the 101 reserves.—A. Some of them are not covered at all.

Mr. CASE: If they each have two they certainly wouldn't be covered.

The WITNESS: No, not in some cases.

Mr. CASE: How many more do you need?

The WITNESS: As I said, fifteen to twenty to start with, and as the work expanded we would need more than that.

Mr. CASE: In some of the back areas—

The CHAIRMAN: What do you mean by back areas?

Mr. CASE: Reserves back in areas, say, 250 miles from headquarters.

*By Mr. Castleden:*

Q. There are some who are 250 miles away from you; how would they make a living? Do they have to make it entirely on the reserve?—A. That is right. They try to make a living on the reserve.

Mr. MACNICOL: There are none 250 miles north, are there?

*By Mr. Castleden:*

Q. You have some reserves 250 miles from there?—A. Oh, yes.

Q. Any farther away? What do you do in case any of them take sick?—A. Oh, the Hudson's Bay post there get the message through to us for them.

Q. Yes, I know they do. I have been up to Norway House and I have seen messages going through. What happens if an Indian takes ill there? What does he do?—A. Usually the Hudson Bay Company is good enough to send a message out and ask for a doctor or ask for a plane or for advice.

Q. There would not be an instructor or an agent near him?—A. No.

Q. He would have to find his own way to the nearest post or send somebody along to the nearest Hudson Bay post to send a message out to you. Would that be it?—A. To the agent.

Q. Then the agent could give him instructions. Some of the Indians have complained that they see a doctor only about once a year when the treaty money is brought around to these reserves. Are these reserves visited once a year?—A. By whom?

Q. By some official of the department?—A. Yes, treaty is paid once a year.

*By Mr. Blackmore:*

Q. Who would pay for the plane which went out to the Indian once the message was received?—A. The medical department would do it.

Q. Invariably?—A. If it is authorized.

Q. What we should like to know is what can happen to the Indian while it is being authorized?—A. I am quite frank to say I do not think there is very much delay. I think our service there has been very good.

Mr. CASE: I wonder who would pay for the 'plane if they flew in for you or for me? This is a very primitive part of the country.

Mr. BLACKMORE: But in the case of you and me, the government is not bound by a treaty to look after our health.

*By Mr. Castleden:*

Q. You said you had more doctors now than you had before?—A. Probably I should have said we have more full time doctors.

Q. Can you give us the number of full time doctors you have?—A. I think it is either four or five.

Q. For 25,000 Indians?—A. We have four local doctors adjacent to the reserve. Now, I am speaking for myself.

Q. What would you consider to be the income for the average family living on the Fairford reserve, for example, where most of the Indians are fishing for a living?

Mr. BRYCE: Take the three reserves along side one another.

Mr. CASTLEDEN: No, let us take this one first.

The WITNESS: That would be purely a guess. On an average—I am going to make it low.

*By Mr. Castleden:*

Q. It would be low, I think?—A. \$800.

Q. You believe a family can make that much money?—A. I might say that I know Indians who claim some years, last year was one, they and their family could make from \$15 to \$20 a day digging senega root.

*By Mr. Bryce:*

Q. The Indians can only dig senega root at a certain time of the year?—A. About a month or six weeks. But even at that they might get \$200 or \$300 or \$400.

Mr. CASTLEDEN: I should like to ask through you, Mr. Prince, what the average income for a family on the Fairford reserve is? How much money could the average man earn in a year, say last year?

Mr. PRINCE: Other than digging senega which goes into his expenses for buying food and for his exemption for his family, it all boils down to the fact that the average Indian on the Fairford reserve does not make anything.

The CHAIRMAN: What you were asked was, what the total income would be including the digging of senega root. Income means that which comes into the home.



Mr. CASTLEDEN: Can you give an approximate figure for the average family income?

Mr. PRINCE: About \$200.

Mr. CASTLEDEN: Including the digging of senega roots?

Mr. PRINCE: Including the digging of senega root.

The CHAIRMAN: Mr. Matthews, have you any questions?

Mr. MATTHEWS: I have this observation to make. From what I have heard of the evidence given by some of the delegates, I prefer to accept the statement of the inspector rather than the statement of Mr. Prince. I do not want to prolong the discussion, but that is my candid impression of the whole thing. There is one thing I am sorry not to have cleared up a little better and that is the discrepancy in the remarks made by Mr. Prince with regard to permits for trapping and shooting and the facts as given by Mr. Conn. There is still a wide gap between the two. I think for the record that gap should be closed so we would know where we are. I am not at all satisfied with the way this matter is left right now.

Mr. BRYCE: I know Mr. Matthews has not been at Fairford reserve. I have been there and I have lived among those Indians.

The CHAIRMAN: There is a question of permits, now.

Mr. BRYCE: No, Mr. Matthews wants to take Mr. Hamilton's word for it that the income is \$800. I cannot give you any figures, Mr. Matthews or anything like that, but I have lived among the Indians. Where they earn \$800. I would not know.

Mr. BLACKMORE: Or even \$200.

Mr. BRYCE: Or even \$200. They work very hard. I admit the Indians did well with the catfish, but those were exceptional circumstances. Taking it over a period of years, the Indians are only existing. On a reserve such as this, where a man cannot make a living, the government owes him the opportunity to make a living.

The CHAIRMAN: Could we not leave it at this; we are all agreed there is not sufficient income.

Mr. BRYCE: If they make \$800 a year—

The CHAIRMAN: Assume it is \$200 or \$800, whatever it is, it is not sufficient.

Mr. CASE: I am not altogether clear on one point. It seems to me we have met a lot of delegates and listened to them. They all want to run their own show and to improve their standard of living. Here they are in a primitive country and they are not making a go of it. They ought to get closer to the white settlements.

Mr. BRYCE: The policy is to drive them further away from the white settlement as, for instance, at Shubenacadie.

Mr. MACNICOL: I should like to know why a man like Mr. Prince, who has had a fine record and who has spoken here in a very able manner, is not in the Indian department somewhere.

The CHAIRMAN: Probably you could take that up with the Civil Service Commission and get him on the staff of the Indian Affairs Department. If you could do so, I know you will be performing a great service to this committee and to the Indians of Canada.

Mr. CONN: I should like to refer to Mr. Matthews' remarks. The conditions I was speaking about this morning in my little talk dealt with the Powell band. I did not refer to Mr. Prince's band on the Netley Marsh which

is a purely provincial affair in which we have absolutely no voice. Later this month Mr. Prince and I are meeting in Winnipeg, and that is one of the matters that will be discussed with the Manitoba administration.

The CHAIRMAN: To Chief Thompson, Councillors Alexander and Murdoch, their spokesman, Mr. Prince, and Mr. Guimond, I wish to extend our sincere appreciation for having come all this distance to give evidence before this committee and assure you that so far as this committee is concerned we will do all in our power to see that anything that is necessary for the correction of Indian administration or the laws affecting that administration or dealings in any way with the Indians, in due time will be given consideration. We appreciate your coming here. We trust that you will feel that you have had a full hearing and have been given every opportunity to express your views. On our part we want to thank you most sincerely for your attendance and assistance. To you, Mr. Hamilton, we also want to express our appreciation for your assistance to us in our deliberations. We will meet on Tuesday at 11 o'clock in room 277.

Mr. PRINCE: On behalf of the Manitoba Indian Association and on behalf of our delegation I wish to express our sincere appreciation for the hearing we have received before this joint committee of the Senate and the House of Commons. We feel as a delegation, that we have been given an excellent opportunity to present our case fully.

When we go back to our people we shall give them a full report on what has taken place in this committee. In time we will submit a proper brief to the committee setting forth our opinions as to how the government can better the living conditions of all Indians.

The meeting adjourned at 6.05 p.m. to meet again Tuesday, June 10, 1947, at 11.00 a.m.





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Canada Indian Act Special Committee  
Letter No. 1547  
(SESSION 1947)



# SPECIAL JOINT COMMITTEE OF THE SENATE AND THE HOUSE OF COMMONS

APPOINTED TO CONTINUE AND COMPLETE THE EXAMINATION  
AND CONSIDERATION OF THE

## INDIAN ACT

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 32

TUESDAY, JUNE 10, 1947

WITNESS:

Mr. P. E. Moore, M.D., D.P.H., Director, Indian Health Services, Ottawa.

OTTAWA  
EDMOND CLOUTIER, C.M.G., B.A., L.Ph.,  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
CONTROLLER OF STATIONERY

1947



## REPORTS TO PARLIAMENT

THE SENATE,  
WEDNESDAY, 7th May, 1947.

The Joint Committee of the Senate and the House of Commons appointed to continue and conclude the examination and consideration of the Indian Act (Chapter 98, R.S.C., 1927), and all such other matters as have been referred to the said Committee, beg leave to make their THIRD REPORT, as follows:

Your committee unanimously recommend that the Government give immediate consideration to the advisability of granting old age pensions to Canadian Indians.

All of which is respectfully submitted.

W. H. TAYLOR,  
*Chairman.*

With leave of the Senate, the said Report was adopted.

HOUSE OF COMMONS,  
WEDNESDAY, 7th May, 1947.

The Joint Committee of the Senate and the House of Commons appointed to continue and conclude the examination and consideration of the Indian Act (Chapter 98, R.S.C., 1927) and all such other matters as have been referred to the said Committee, begs leave to present the following as a

### THIRD REPORT

Your Committee unanimously recommends that the Government give immediate consideration to the advisability of granting old age pensions to Canadian Indians.

All of which is respectfully submitted.

DON F. BROWN,  
*Chairman.*

Concurrence, 12th May, 1947.





## MINUTES OF PROCEEDINGS

HOUSE OF COMMONS,

TUESDAY, 10th June, 1947.

The Special Joint Committee of the Senate and the House of Commons appointed to examine and consider the Indian Act (Chapter 98, R.S.C., 1927), and all such other matters as have been referred to the said Committee met this day at 11 o'clock a.m.

*Presiding:* Mr. D. F. Brown, M.P., Joint Chairman.

*Present:*

*The Senate:* The Honourable Senators Horner, Macdonald (*Cardigan*), Robicheck and Taylor—4.

*The House of Commons:* The Honourable Mr. Stirling and Messrs. Brown, Blackmore, Bryce, Case, Castleden, Farquhar, Garipey, Harkness, Little, MacLean, MacNicol, Raymond (*Wright*), and Reid—14.

*In attendance:* Mr. W. J. Ford Pratt; (From Indian Affairs Branch): Messrs. R. A. Hoey, Director; B. F. Neary, MBE., Superintendent, Welfare and Training; A. G. Hamilton, Inspector, Indian Agencies, Manitoba; Dr. P. E. Moore, Director, Indian Health Services; also, Dr. G. D. W. Cameron, Deputy Minister, Department of National Health and Welfare; Dr. W. L. Falconer, Indian Health Services Division, Department of National Health and Welfare; also, the Honourable Paul Martin, K.C., Minister of National Health and Welfare; also, Dr. G. J. Wherrett, i/c Canadian Tuberculosis Control; also, Mr. Norman E. Lickers, Barrister, Counsel for the Committee and Liaison Officer.

Mr. W. Garfield Case, M.P., on a matter of privilege, renewed his previous application that the committee should either hear representations from Magistrate Tucker, with regard to the conditions prevailing amongst the Indians in the James Bay area or recommend that some sort of Commission be appointed to investigate such conditions.

Mr. Raymond read and moved the adoption of the seventh report of the subcommittee on agenda and procedure. (See Minutes of Evidence).

Discussion followed.

Mr. Case moved, in amendment, that the committee do not now consider this report but that it be recommended to the subcommittee.

Discussion continued.

By leave, amendment of Mr. Case withdrawn.

And the question being put, the seventh report of the subcommittee was adopted, on division.

Mr. Reid expressed the hope that the Committee would consider the advisability of permitting the placing on record of evidence to rebut certain statements which have appeared in named newspapers in British Columbia with regard to conditions on some reserves in British Columbia. Mr. Reid also asked when the Committee would be afforded an opportunity to consider and discuss the report of the Commission appointed to investigate Indian Affairs and conditions in the Maritime Provinces.

Mr. P. E. Moore, M.D., D.P.H., Director, Indian Health Services, Department of National Health and Welfare, Ottawa, was called, and made a statement.

The Committee adjourned at 1 o'clock p.m., to meet again this day at 4 o'clock p.m.

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#### AFTERNOON SESSION

The Committee resumed at 4 o'clock p.m.

*Present:*

*The Senate:* The Honourable Senator W. H. Taylor,—1.

*The House of Commons:* Messrs. Brown, Bryce, Case, Castleden, Farquhar, Gariépy, Harkness, Little, Matthews (*Brandon*) (Vice Chairman), MacLean, MacNicol, Raymond (*Wright*), and Reid—13.

In attendance: as at morning session.

Dr. P. E. Moore, recalled, continued with his statement.

It was agreed that owing to other official engagements the Committee could not sit beyond 5.15 p.m.

It was further agreed that Dr. P. E. Moore be recalled to continue his presentation and be questioned thereon on Tuesday, 17th June next, at 11 o'clock a.m.

The Committee adjourned at 5.15 p.m., to meet again on Thursday, 12th June next, at 11 o'clock a.m.

T. L. McEVOY,  
*Clerk of the Joint Committee.*



## MINUTES OF EVIDENCE

HOUSE OF COMMONS,  
June 10, 1947.

The Special Joint Committee of the Senate and the House of Commons appointed to examine and consider the Indian Act, met this day at 11.00 a.m. Mr. D. F. Brown, M.P., (Joint Chairman) presided.

The CHAIRMAN: Mr. Case has asked permission to bring up a matter on a point of privilege.

Mr. CASE: Mr. Chairman, I think I should bring to the attention of the committee again a matter of what I consider to be very great concern. I have mentioned before that Magistrate Tucker had telephoned me from Cochrane bringing to my attention a situation with respect to the Indians in the James Bay area. He suggested that a commission should go there to investigate that unfortunate situation, and that following such visit other recommendations could be made. I suggest to the committee it would be well if we could have Magistrate Tucker come before us and tell us his story. However, I would like to read into the record a report which is published in the *Globe and Mail* of Monday, June 9, 1947. It is date lined Timmins, June 8, and headed "special".

"Unless immediate steps are taken to supply the James Bay Indians with proper medical care, nursing services and nutrition, they will be wiped out." This is one of the statements made by Magistrate E. R. Tucker of Cochrane in his address to the assembled representatives of the branches of the Canadian Red Cross of Northern Ontario.

Then there is a short description of the Magistrate himself; he is known as the "flying judge". The article goes on:—

"Unless you can see conditions as they are with your own eyes, you will never believe the appalling conditions of hardships and privation that exist." Another point that was stressed was "the unbelievable death rate of infants is 600 out of every thousand that are born, and these people see a doctor only once a year. If the male of the family is at his traplines, then he sees the doctor only once every two years."

Representatives from Smooth Rock Falls, Cochrane, Iroquois Falls, Hearst, Schumacher and Timmins were in attendance at the meeting.

I leave that with the committee as a matter of really grave concern. I am rather surprised that when we had Bishop Belleau here that we did not hear from him, with regard to conditions in the James Bay area. I suggested that we ask him at that time. Now this matter has twice been brought to my attention and I leave it in the hands of the committee.

The CHAIRMAN: Thank you, Mr. Case. We have here to-day Dr. P. E. Moore, who is our witness and I am sure he would be glad to discuss any particular phase of medical services of the Indians.

We have a note of your matter now and it will be investigated. You might investigate it personally by questioning Dr. Moore as to his knowledge of the matter.

The next point of business is the seventh report of the sub-committee. Mr. Raymond you were in attendance at the time the report was discussed would you present it please?

Mr. RAYMOND:

SEVENTH REPORT OF SUBCOMMITTEE ON AGENDA  
AND PROCEDURE

NOTICE OF MOTION FILED BY MR. BLACKMORE ON MAY 15, 1947

Your subcommittee has reconsidered this notice of motion. It is of the opinion that the time is not opportune to submit to the House an interim report making the recommendation contained in the notice of motion.

HOUSE OF COMMONS,  
June 10, 1947.

The CHAIRMAN: I know members of the committee will wish to discuss this matter and probably we should give some reasons for the wording of that report. First of all I will read the notice of motion:—

Whereas: The final report of this committee on the Indian Act is likely to be made not earlier than the close of the 1947 session of parliament, and

Whereas: This committee has heard sufficient evidence to satisfy its members that Canadian Indians are in serious need of immediate assistance of several kinds, and

Whereas: Mr. Hoey has conveyed to this committee that his department, in order to discharge its responsibilities to the Indians under its charge, requires at least \$15,000,000 for the year 1947-48.

Therefore, be it resolved that this Indian Act committee submit within 10 days an interim report to parliament recommending that both Houses recommend that the government consider the advisability of submitting to parliament for the Indian Department an increase in appropriation large enough to bring the total appropriation up to, at least, \$15,000,000, in the estimates for 1947-48.

Now if I might point out first that we have not as yet any programme as to how any additional amounts would be spent.

Mr. CASTLEDEN: You mean from parliament?

The CHAIRMAN: No, we as a committee are not in a position to make any recommendations as to how this additional amount shall be spent. My opinion is that if we make a recommendation that the government consider spending additional amounts of money, that we should be in a position to suggest to government how the money should be spent. Furthermore, the estimates for this branch, the Indian Affairs Branch, have not been referred to this committee; nor is the House yet aware of the amount which will be asked by way of main estimate and supplementary estimate for the Indian Affairs Branch.

Mr. FARQUHAR: What then do you mean by "additional amounts?"

The CHAIRMAN: The amount that has been suggested by Mr. Blackmore.

Mr. FARQUHAR: We do not know the present amount?

The CHAIRMAN: We know what is in the main estimates but we do not yet know what may be in the supplementary estimates.

Mr. FARQUHAR: For all we know it may be more than \$15,000,000.

The CHAIRMAN: Our committee, of course, can recommend only that the government give consideration to the advisability of increasing or reducing an estimate. We have no power to make any recommendation as to any definite amounts. I think Mr. Blackmore should now have the opportunity of speaking on his notice of motion.

Mr. CASE: I question your point when you say we have no power.

The CHAIRMAN: We have no power to recommend that the government spend public money. All we can do is suggest to parliament that parliament recommend to the government the advisability of considering certain expenditure. If you can get anything out of that you are pretty good.

Mr. CASTLEDEN: I think it is a masterpiece of understatement.

The CHAIRMAN: At the present time we have \$15,000,000 suggested by Mr. Blackmore. I imagine many of the members of the committee might have suggested \$50,000,000. In fact I think some have suggested it. In any event the amount suggested here is \$15,000,000. The estimates at the present time as published, ask that there be an appropriation of \$6,547,254.

Mr. CASTLEDEN: Is that for Indian Affairs Branch or does that take in also the amount for the Department of National Health and Welfare?

The CHAIRMAN: That does not. This is only for Indian Affairs Branch. You see whilst there is \$6,000,000 odd in the estimates, if we were to recommend the increase to \$15,000,000 there would be a total increase of \$8,000,000 odd which is one and one-third times the present estimate, or an increase of about 133 per cent. Of course there are no suggestions as to how we are to increase the services to the Indians by the 133 per cent increase in the appropriation. Now there has been an increase provided for this year of \$123,393, that is in the Indian Affairs administration and service, without health. Now that, you see, is a fair increase in one particular year in any branch of the administration. So, generally speaking, the subcommittee felt they were not prepared as a subcommittee, to recommend that your committee suggest to the government an expenditure of \$15,000,000 when this committee has not completed its work and when we have not any suggestions as to how that large increase shall be allotted. For that reason the subcommittee reports back to the main committee the suggestion that the notice of motion be not entertained at this time or, to quote the report, "that the time is not opportune."

Mr. Blackmore, would you now like to say something?

Mr. BLACKMORE: Mr. Chairman, and fellow members of the committee.

The CHAIRMAN: Pardon me, before you start, is it agreed that we will permit Mr. Blackmore to make a statement?

Mr. REID: I am sorry, I was not here, what is the statement to be about?

The CHAIRMAN: The report of the subcommittee on the motion of Mr. Blackmore recommending to the government the advisability of considering an increase to \$15,000,000 in the present estimates of Indian Affairs Branch which provide for \$6,547,254.

Mr. CASTLEDEN: I wonder if you could give the committee at this time the amount asked for by the Department of Health and Welfare?

The CHAIRMAN: Have you got that Dr. Moore?

Dr. MOORE: I have not got the exact figures but it is approximately \$4,600,000.

Mr. CASE: That brings total estimates for Indian Affairs to over \$11,000,000.

The CHAIRMAN: Will you proceed then, Mr. Blackmore? I would ask the committee not to interrupt until Mr. Blackmore has completed his submission.

Mr. BLACKMORE: Mr. Chairman, and fellow members of the committee. I deeply appreciate your indulgence in permitting me to occupy some of the valuable time of the committee at present.

It seems to me it would be well for us to clarify our purpose in being here as members of the committee. We have all asked ourselves probably these questions: Do we intend to change the Indian Act? Do we intend to change the policy which is presently prevailing under our present Act? Do we intend



to change the personnel of the present Indian department? Are we dissatisfied with them? Do we intend to supplement our present Indian Act and policy by certain other measures, for example, the setting up of an Indian claims committee?

Other questions have doubtless occurred to the members of the committee as being appropriate in trying to determine just why we are here. Why are we going to all this trouble? Why did the government appoint us?

It seems to me the time has just about come for us to get some sort of clarification in respect of all these matters. Even though we might not be entirely agreed as to what our purpose is, I think every member of the committee has pretty well thought along these lines. I am voicing only the opinions of the members of the committee I would say, Mr. Chairman, judging from what I have heard the committee members say after leaving the various meetings.

To change the Indian Act without spending more money would be futile. I doubt if a member of the committee would question the truth of that remark. Neither would they question any of the possible reasons for our being called together. I think we would all agree our task would be utterly futile unless we ask the government to spend more money. Government simply must spend more money. Now since I first gave notice of this resolution some days ago several members of the committee, some of them are now listening to me, have expressed warm approval of the resolution and some have thanked me for it. All the members of the committee have not spoken with me but no one thus far has expressed disapproval of the resolution.

Now is \$15,000,000 the right amount? The honourable members have before them a copy of my resolution. They will note that I merely suggest the total appropriation should be brought up to at least \$15,000,000 so that \$15,000,000 as a whole will merely be a floor. Now the expenditures in the past on our Indian affairs have been, in my judgment, woefully inadequate. We have spent over \$6,000,000 in only three years in Canadian history. According to the records I have, which the honourable members will find on page 11 of the 1946 proceedings of this committee, in 1930-31 we spent \$6,068,827; 1944-45 \$6,232,582; 1945-46 \$6,796,826.

In each and every other year the appropriation fell below \$6,000,000. Now I was impressed with the briefs which were submitted to us quite recently by the various agencies. With the permission of the committee I should like to recall several of the passages in some of those briefs.

May I take first the brief of the United Church of Canada. I would refer to certain passages which I think impressed every member. I am not assuming that the United Church is accurate in everything, but these people, like the other admirable church organizations, the Roman Catholic church, and the Anglican church, and others, have been right on the ground. They have been right out in the field and they have been in contact with realities as no member of this committee could possibly have been. I think, therefore, that their observations are worthy of some attention. Now on page 3 of the United Church brief at the bottom of the page you will find this regarding school buildings:—

The building was cold and most of the younger students were blowing on their hands in an effort to warm them. Snow on rubbers under the stove had not melted by recess. Outside wraps were all worn in the school.

I have been a school teacher myself, Mr. Chairman, and a good many of the members of this committee have been school teachers. I spent twenty-one years in the school-room. I would say conditions like that were putting in jeopardy the health of every individual child in the school, probably the life of the child, as well as the teacher, and conditions of that sort were rendering it

practically impossible to do effective educational work in that school-room. Mr. Chairman, we do not need to have any recommendations from this committee to know that money ought to be spent to remedy a situation like that; neither does parliament.

Now may I refer to page 4:—

We and the other churches who cooperate with the government in Indian education, have drawn the attention of the responsible officials to the great discrepancy between the need and the provision made to meet it, and this has been admitted by the director in his evidence, given last year (minutes of proceedings and evidence, page 15).

Again, on the same page, I have noted this passage as I am sure did all the honourable members of the committee:

yet a careful study would indicate that there is scarcely any part of the dominion in which Indian people live where there are adequate facilities,—for education.

Surely this committee need make no recommendation to enable any person to see great quantities of money are necessary on behalf of education of the Indian in this land. On page 6 we find these words:—

Specifically, the United Church resents being criticized for failure to provide adequate food and clothing in residential schools, and for not engaging a highly qualified staff in sufficient number, when failure arises from the lack of grant provided by the government and the House of Commons—which has consistently starved the educational department of the Indian Affairs Branch.

Those are strong words.

There is only one possible remedy for the condition suggested by those words. On page 8, I find these words: “the buildings”—still referring to schools—“the buildings should be modernized as speedily as possible. Some of the new buildings which have been erected by the department in recent years are models of their kind; but far too many of the day schools on Indian reserves lag behind the rural public school buildings of the provinces and are really no credit to the department.”

No credit to the department means, Mr. Chairman, no credit to the House of Commons which has appointed the department but left it without adequate funds for the work which it has to do.

On page 10 I find these words:—

The only solution to this is the setting up of department hospitals with the right of the churches to visit the patients in them. We would associate ourselves whole-heartedly with the section of the brief submitted by the Church of England in this regard.

Again on that page I find these words:

The United Church is of the opinion that there is no reason why the Indian people should not participate in any old age pensions scheme set up by the dominion government; and is of the opinion that, in the administration of the scheme, these same conditions should apply as in respect to the old age pension scheme generally, with such modifications as may be necessary to meet the difference in status of the Indian people—that is to say, without provincial contributions.\*

\*See Third Report, to Parliament, *supra*

Now those, Mr. Chairman, are the words of the United Church in its presentation. I turn now to the brief of the Roman Catholic church, which, because of the long history of great successes of that organization in its dealings with the Indians certainly is worthy of attention. On page 3 we find these words:—

However, one must not forget that many of the improvements which are now suggested would have been put into effect a long time ago if the people of Canada had been aware of their necessity, and if the Canadian government had been more generous in appropriating funds for Indian education.

I turn now to page 7 of their very excellent brief:—

However, in the case of both residential and day schools, additional funds must be made available in order to provide increased accommodation and to make it possible for those actively engaged in the work to keep abreast of modern educational requirements.

Again, the committee may be interested in knowing the percentages of Indian children, by provinces, who are unable at the present time to attend any school whether day or residential because of want of classroom space. These percentages according to provinces are as follows:

	Per Cent
Alberta .....	37
British Columbia .....	41
New Brunswick .....	30
Nova Scotia .....	15
Manitoba .....	38
Ontario .....	40
Northwest Territories .....	70
Quebec .....	60
Saskatchewan .....	29
Yukon Territory .....	50
Prince Edward Island .....	60

Mr. Chairman, may I speak for the members of the committee? Just attempt for a moment to get ourselves in the position where we can see these matters as the Indian does. As I stand before you I can see scores of the noble Indians of the Blood Indian reserve alongside which I grew up from my early childhood. Their only chance in the world to get their children ahead is by putting them in a school. Now, if you and I were on the reserve and were restricted as Indians are, we could do nothing more. You and I could do nothing more than see our children grow up without a chance. I am not saying the Blood Indians are lacking in facilities; they are rather fortunate in respect to schools but they are much more happily situated than many, many, Indians in this land.

On page 8 of that same church's brief, we read this:—

At least four hundred classrooms should be provided immediately. It may not be possible to build that number of classrooms in one year, but the program should be accelerated so that within five years, our Indian Affairs Branch could proudly state that every Indian child in Canada, wishing to secure an education, had a school close enough to his home where this laudable ambition could be realized.

Most of us, Mr. Chairman, have grown up with a school only a few blocks away; we have raised our families with schools just a few blocks away. It is difficult for us to put ourselves in the position of Indian parents miles away from schools.



Again on the same page I read:—

If the teachers, in both residential and day schools, were to become civil servants, with superannuation provision and the payment of salaries by the Indian Affairs Branch, it is possible that most of our personnel difficulties would disappear.

Mr. Chairman, that again takes money.

On page 9 we read:—

From the moral standpoint alone, we feel that the government of Canada would be justified in providing in each province, special schools for girls of 16 to 18 who have previously attended residential or day schools.

Money is required again. There is no need for us to recommend how to spend money there.

May I now turn to page 14?

The CHAIRMAN: Mr. Blackmore, may I interrupt for a moment? You see you have been going now about twenty minutes and we all realize, I think, the necessity for more money. There is no question of that in the minds of the committee so I am wondering if you have anything else besides a repetition of the demands that have been made for money which already appear in the evidence. It possibly would shorten it if you would give us only your new points.

Mr. FARQUHAR: I would like to say that, after all, while we are not trying to cut Mr. Blackmore down—

Mr. BLACKMORE: I cannot hear what Mr. Farquhar says.

Mr. FARQUHAR: We have all this on the record.

The CHAIRMAN: That is right.

Mr. FARQUHAR: Mr. Blackmore is giving the impression that we are opposed to spending more money on Indians. Now that is not the case. We all feel, and I think we all agree, that we will have to spend more money on Indian work but if we are budgeting at the present time we should have some plan as to how we are going to spend the money when we ask for it.

The CHAIRMAN: I was wondering before we get into a discussion if we could just ask Mr. Blackmore if he has anything new that he wishes to put on the record. We might well hear those things. We were to have him speak for ten minutes and he has gone now nearly twenty-five minutes. Have you anything else, Mr. Blackmore?

Mr. BLACKMORE: I cannot see why an important representation like this should be limited to ten minutes or twenty minutes.

The CHAIRMAN: It was not my idea, it was yours.

Mr. BLACKMORE: I do not wish to impose on the other members of the committee and, if they say they do not want to consider this further, I will desist and I thank the members for the consideration that they have allowed me in speaking on my resolution but we simply must spend more money and it must be done now.

Mr. CASTLEDEN: Mr. Chairman, I am very anxious to support Mr. Blackmore in his resolution, but after all, we have only a few hours. I think he has now spoken for twenty minutes on this matter and I think we are all convinced that the matter is important. Mr. Blackmore however, could make his points for and against, and we could vote on the motion.

Mr. REID: In my opinion, while we are all in sympathy with Mr. Blackmore every member is not duty bound to speak. This is all being taken down and it is going on the record and, speaking for myself, I do not want it to be thought

that because I vote to adopt the report of the subcommittee I am callous towards the Indian and the Indian needs for more money. However, the motion before us now is another thing. I wish to bring up matters concerning the problem but Mr. Blackmore has placed us in the position where it might appear that we were callous towards the Indians' needs.

Mr. MACNICOL: Have we not got a witness here.

The CHAIRMAN: Yes.

Mr. CASE: May I have one observation.

Mr. Blackmore has predicated his whole submission on education. Now we are all agreed that the educational facilities should be improved but it is an amount of money that Mr. Blackmore is talking about. Could you, Mr. Blackmore, specify any amount of money?

I think his resolution is wrong in that, if it is going to relate to education, we should recommend to the government that there shall be an increase in the Indian education appropriation.

The CHAIRMAN: I think we are all agreed that there will have to be increased expenditures of money but the question now is all in the timing of the Blackmore resolution. I think frankly, when we make our report to the House, we should make proper recommendations as to an increased appropriation for Indian services and how it is to be spent.

Mr. CASE: Education involves the question of what type of schools we are going to recommend. If they are to be state schools then I am all for making them the best schools in the world.

The CHAIRMAN: The Indians themselves do not want to get something for nothing. They want opportunity given to them and they will make the best of their opportunities. If Mr. Blackmore has any other point which will be of help to us I think it will be proper for him to let us have it. If it is merely a repetition of what is already on the record I would suggest that we dispense with it.

Mr. BLACKMORE: May I have five minutes more?

The CHAIRMAN: I have no objection, as long as we can get along with the business of the committee.

Mr. BLACKMORE: I think the business of the committee is to solve the Indian problem and I cannot understand why we are not all in favour of advancing money to do so.

Mr. MACNICOL: But the committee might recommend spending \$50,000,000, or more.

Mr. FARQUHAR: This figure might be altogether too small when we get down to the facts.

Mr. REID: No member of this committee can tell how much money is needed. It might be \$50,000,000.

Mr. BLACKMORE: May I point out once more the concluding part of my resolution. It states specifically "at least \$15,000,000." I think that is safe, and I will endeavour to close off in my five minutes. I wish to call the attention of the committee to page 27 of the minutes of proceedings and evidence of our very first meeting. On that page, on May 28, 1946, Mr. Hoey made his own estimate. "To undertake a worthwhile Indian betterment program based on the existing needs of the population and other needs that are likely to arise during the period immediately ahead of us, it would, in my judgment, require a parliamentary appropriation to begin with of approximately \$14,000,000 or a sum a little more than double the amount which appears in the 1946-47 estimates. To continue this program, it would, I am also convinced, require additional annual amounts for the next fifteen years at least, or until a peak figure of



\$25,000,000 is reached. If such a program were based on a sound policy and closely linked up with efficient administration there should be a gradual decline in expenditures from the sixteenth year onward." Now, in the passage from which I have read covering pages 27 and 28 there are striking remarks made by Mr. Hoey who is the head of the Indian Affairs branch.

The question will be asked: Is this the time to make a recommendation; is this the year? Well, the present parliament cannot run beyond 1950 and this committee cannot possibly make a final report until the end of 1948. The recommendations could not be implemented before 1949. That leaves altogether too short a time to see how a new arrangement would work before this parliament will be dissolved. Meanwhile the Indians are going to suffer.

Now, is this the time of the year? There is still time to have an item included in the supplementary estimates. Is it the psychological time? The Indians now have confidence we are really going to do something for them; the Canadian people as a whole are interested in the problem of the Indians; they have become aware that the country has been negligent in the matter of looking after the Indians and they are anxious to remedy our shortcomings. Parliament and the country is "human rights" conscious. This is clearly shown, as we all know, by discussions in the House of Commons at the present time. Some nation, such as Russia, might rise in the United Nations Assembly on the matter of our treatment of our Indians. If that were to be done we would be put in a very awkward light.

Now, we ought to give the present administration the chance, I contend, to show its ability to handle our Indian problem. We know these men who have charge of this work and who now occupy important positions in the Indian department. The committee has enough information before it to go as far at least as recommending \$15,000,000.

Now, Mr. Hoey has impressed me as being an able, sincere, diligent, progressive and practical man who is genuinely interested in the Indians and in all matters pertaining to the Indians; and his staff, as far as I have seen them, have impressed me as being worthy of the positions they hold. Now, we cannot form any estimate as to what to do about the staff or what to do about the Indians until we at least provide enough money to enable these officials to carry out their work. Now, Mr. Chairman, such consideration having been given to this matter, I have no hesitation in suggesting to this committee that you pass my resolution.

The CHAIRMAN: Gentlemen, are you ready for the question?

Mr. REID: I want to say a few words, because I realize the danger which every honourable member may have to face in a resolution of this kind. May I say that every member of this committee is just as much interested in the welfare of the Indians and the need for more money as the honourable member, but may I draw the attention of Mr. Blackmore to the fact that the money question, important as it is, is only one part of the vast amount of evidence and requests we have heard regarding the complaints made by and for the Indians. I have not time to list all these complaints, but they included roads, education, treaty rights, enfranchisement, insurance, liquor, hospitals, and money was one of the many other problems, and I think that has played—

The CHAIRMAN: A minor part—

Mr. REID: If you look over the record you will see that it has played but one part. While I am in sympathy with this subject—and I want to place myself on record that I am not objecting to an increase in the amount of money—I think this is as the subcommittee report says—an inopportune time to bring this matter up until we come to a realization as regards the matter of finality of our investigations in these matters.



Mr. CASTLEDEN: In speaking against the report of the subcommittee, I would like to say that one argument given against this is that we have no program. It seems to me that we can go on with our program and still indicate to the House that more money is needed by the department. As regards the time to do this, I do not think we can start too soon. I think the department has a program, and I think we should support it. We can go on with our study and suggest to the House that this department needs more money. If this is to be exercised it should be exercised soon. This is only going to be a recommendation with regard to this matter, and it would let the House know that we want this done. With regard to the amount, I think that also can be arrived at later. We do not know the amount. At any rate, this is a recommendation that we double the present estimate and it will only be a step in the right direction. I do not believe that it is going to interfere with our work here. We have a great deal of work to do, but I think we should do something about getting more money this year because we are not going to be ready with a report until the end of this session. The increased estimates might not come up until next year and they will not be passed until well on in next year. We are going to be that much too late. We are now fifty years too late. Perhaps that is an exaggeration, but we are many years too late; and the sooner we get something done the better. There are Indians dying to-day, according to reports—

The CHAIRMAN: White people are dying to-day too.

Mr. CASTLEDEN: Yes, I know, but this is for lack of attention, according to the evidence to this committee—real negligence. It seems to me that we should recommend that something be done about these estimates and that it should be done now.

Mr. REID: May I direct attention also the fact that one of the main recommendations that should be made has been omitted by the two members who support the proposal of Mr. Blackmore; that is with regard to hospitalization. That is one thing that will take a great deal of money and which has been left out of this resolution entirely. As we know, hospitals are not under the Indian Affairs Branch. I do not know whether this was left out wittingly or not, but one of the great things we have been advocating is hospitals, and in this proposal they have been left out. Hospitals alone might take \$15,000,000. Hospitals at present are not under the Indian Department.

Mr. BLACKMORE: Left out of what?

Mr. REID: Left out of your resolution.

Mr. BLACKMORE: No, nothing of the kind.

Mr. FARQUHAR: When we are submitting an interim report the other things we have been working on, which are just as important as this matter which has been brought up this morning, should also be mentioned in that interim report. I think every member of this committee is just as sympathetic towards the Indians as Mr. Blackmore and Mr. Castleden, and they are just as anxious to do all they can for them.

Mr. CASTLEDEN: Hear, hear. That is not the question.

Mr. FARQUHAR: I listened to the statement made. I think there was some such position taken.

Mr. BLACKMORE: I challenge that statement, because I was very careful in my wording to include every member of the committee, and I know I did.

Mr. FARQUHAR: Yes, but are you going to prove to this committee that this committee that this money is necessary and that it should be spent; and you are hoping to prove that there are members of this committee who are already quite satisfied that possibly no more than this amount should be spent. Now, I do not want that impression to go out. I do not think any member of this com-

mittee wants that impression to go out—the impression that any one particular man on this committee is more anxious to spend money on looking after the welfare of the Indians than anyone else, and for that reason I do not think it is necessary to impress this committee with these facts. I do believe that when our interim report is made other questions besides the question of the amount of money should be mentioned. I think I can remember, when this question was brought up before, that Mr. Hoey said that he doubted whether that amount could be spent this year. I think one of the questions that will be asked should this recommendation go to the House is: What plan have you for spending this money? I could not tell the House. I think we should have a definite plan as to how Indian Affairs will spend the money we are asking for should we present such a resolution to the House. Now, that is all I have to say on this matter, but I do want to make it clear that I do not want the impression to go out that any one member of this committee is more interested than another as regards the Indian problem.

Mr. CASE: Mr. Chairman, I think we might dispose of this matter by referring it back to the subcommittee and asking them to give consideration to something of this character: That the committee are deeply conscious of the inadequacy of hospital and education facilities and medical services and that we recommend that an amount to provide for ample services as recommended by the Indian Affairs Branch should be appropriated. That should be done rather than to confine it to the educational approach; because before I am prepared to make a decision with regard to the educational aspect of Indian Affairs I want to know by what method we propose to recommend that education should be carried out—whether it is going to continue on as denominational or non-denominational, state schools, or what. However, I do believe that I should make a motion to have the matter referred back to the subcommittee with a view to its drafting an over-all resolution stating that we are conscious of these inadequacies and recommending that sufficient money be appropriated to provide the services as recommended by the officials of the department. That will overcome the handicap that Mr. Farquhar has spoken of. When Mr. Hoey says he does not know whether he can spend this money or not, I would like to know the amount of money that he can spend, and there is no one better able to determine that amount of money than himself.

Mr. BLACKMORE: May I make one thing clear? The only reason I mentioned education was so that we would have time to go into the other details.

The CHAIRMAN: Now, I want order. I want to be fair to all members of the committee. If Mr. Blackmore is going to answer everybody who gets up to speak we are going to be here until doomsday. Let Mr. Blackmore answer everybody once and for all.

Mr. FARQUHAR: I would like to second the motion made by Mr. Case.

Mr. GARIEPY: Mr. Chairman, my stand is this: I do not see any need for any interim report of this kind. It is not our business: If any other members of the committee feel that something should be done that is not being done by the Indian Affairs Branch there is always the House of Commons. That is the place for them to make the requests when the estimates are presented. The department is aware of all this evidence. They have had their representatives sitting in this committee. They are possessed of every bit of information on the matter. If there is something very urgent in the matter of money or anything else, let the department take the lead, and the members of this committee can go to the House if the department does not do these things. Mr. Blackmore and his party or Mr. Castleden and his party—

Mr. BLACKMORE: Let us leave "the party" out of it.



Mr. GARIPEY: If this becomes a question of politics let them get up in the House and make their statement; but we as a committee do not represent any party. We are a group of representatives of all the people with a special task to perform. Our task is to sift out this evidence and come to some conclusions. Well, the time to draw conclusions has not yet come. We have not reached that time in any shape or form, and that is the purport of the report of our subcommittee.

Mr. Case has put the matter well. He says that we have not decided what we shall do with regard to education. He could go on and say that we have not decided what we shall do with regard to hospitals. We have not decided on these and many other matters. Such plans will call for the expenditure of money. It is our business to thresh out this evidence and draw conclusions, but why should there be an interim report at this stage? Suppose the Radio Committee were being presented with a motion every week that the law be amended in the interim to do this and to do that; it would be ridiculous. I say let us finish our business and then bring in a final recommendation to the House. I stand second to nobody in my desire to improve the state of the Indians throughout this country, and when the proper time comes I will support any move or any request to get more money for them, but this is not the proper time to do it, and it does not look to me to be the proper method. I am satisfied that this resolution is premature. We are wasting time and energy. I do not like to suspect motives, but I do not like this at all, and it seems to me that Mr. Blackmore himself realizes that we have already been wasting too much time on this matter. Here we are wasting time about something that is absolutely useless.

Mr. RAYMOND: I would like to explain my stand too. I was at the subcommittee meeting the other day. Although I do believe there should be an increase in the estimates for taking care of Indians, I thought it was not opportune at this time and I would like, simply as a member of the committee, to express my opinion. I do believe personally that we have been appointed "to examine and consider the Indian Act." If we will look at the first page of the orders of reference we see that it has been ordered "that the Senate do unite with the House of Commons in the appointment of a joint committee of both houses to examine and consider the Indian Act, chapter 98, R.S.C., 1927, and amendments thereto, and to suggest such amendments as they may deem advisable, with authority to investigate and report upon Indian administration in general and, in particular, the following matters:

1. Treaty rights and obligations.
2. Band membership.
3. Liability of Indians to pay taxes.
4. Enfranchisement of Indians both voluntary and involuntary.
5. Eligibility of Indians to vote at dominion elections.
6. The encroachment of white persons on Indian reserves.
7. The operation of Indian day and residential schools.
8. And any other matter or thing pertaining to the social and economic status of Indians and their advancement, which, in the opening of such committee, should be incorporated in the revised Act."

So, in my opinion, as a member of the sub committee, I thought that the proposal put forth by Mr. Blackmore, was not opportune. Personally I do not believe we have the right to recommend anything, beyond the limits of the order given to us by the House of Commons because, in my estimation, we are to examine and consider and revise the Indian Act.

The CHAIRMAN: Is there anyone else that wishes to speak? If not, we are ready for the amendment but you realize now that we are just "passing the buck" by this amendment.

Mr. CASTLEDEN: Hear, hear.



The CHAIRMAN: We are just "passing the buck" back to the subcommittee. I think the thing to do is to face the matter.

Mr. CASE: If it is to be discussed I am quite willing to discuss the matter.

Mr. MACNICOL: I did not say anything when you brought the matter up but I support my honourable friend Mr. Gariepy, from Trois Rivieres, in what he said. The position is very clear, and as he pointed out the time is not opportune. We have not got anywhere with the consideration of all the evidence which has been placed before us. I do not want to vote on any motion for \$15,000,000 when it may take \$50,000,000. I will vote for what is required. I have said in the House on many occasions that the Indian Affairs Branch is starved in carrying out its work and voting \$15,000,000 only a drop in the bucket to what I hope this committee will, in the end, recommend. I do not want to be tied to a mere \$15,000,000 and I would say, Mr. Chairman, that the matter should be left open as being inopportune at the present time.

Mr. FARQUHAR: I would like to take exception to the statement made by the chairman that we are "passing the buck". That was not the intention of the mover of the amendment and not my intention in seconding the amendment to the motion but what we thought was that if we were going to present an interim report then it should be brought in in the proper way.

The CHAIRMAN: If I may interrupt at this time. There will be an interim report before the close of this session. We are bound to do that for the House.

Mr. FARQUHAR: I think the subcommittee could possibly take this question into consideration if they so wished at the proper time.

The CHAIRMAN: It will undoubtedly be taken into consideration.

Mr. FARQUHAR: It was not a matter of "passing the buck". I take exception to that statement. I think possibly we should just have it referred back to the subcommittee to bring it forward in a proper way at a later date if they wish. If the subcommittee does not wish to do so I am willing to withdraw my support of the amendment.

The CHAIRMAN: May I answer on this one point. I used the expression "passing the buck" and although I cannot withdraw it, I believe it is a fact that the amendment would pass the buck back to the subcommittee.

Mr. FARQUHAR: If it does that I am not willing to support the amendment.

The CHAIRMAN: It is a problem in parliamentary English.

Mr. REID: The report of the subcommittee is very clear. It is that we are of the opinion the time is not opportune to submit to the House an interim report making the recommendation contained in the notice of motion by Mr. Blackmore.

Mr. CASE: That is a fair report and I withdraw my amendment.

The CHAIRMAN: The amendment is withdrawn. Are you ready for the question?

All those in favour of the motion to adopt the seventh report of the subcommittee? Ten

Opposed. Two. Mr. Blackmore and Mr. Castleden.

The report is adopted.

Now we have Dr. Moore with us this morning.

Mr. REID: Are you open for discussion on any further matters or are you going to call Dr. Moore as witness?

The CHAIRMAN: Have you a matter you think of importance?

Mr. REID: Yes, I have.

I want to call the attention of the committee to the fact that we have been taking voluminous evidence, all of which has gone on the record. In many cases the substance of the evidence is being quoted in newspapers throughout the

country. The quotations whilst not being distorted, we are nevertheless doing nothing by way of rebuttal. We are simply calling witnesses who make statements about certain conditions on reserves. All over the country newspapers and magazines are picking up excerpts from the evidence and they are placing the same before the country. This, I say, is something which cannot be entirely ignored. I have in my hand, just as an illustration of what I mention, a British Columbia publication which is called *The Native Voice*. This has just come to me and I wish to read this part: "The special joint committee of the Senate and the House of Commons has been conducting an examination of the Indian Act for the past year. *The Native Voice* is in receipt of minutes of evidence to date. The disclosures of the shocking conditions of many native people is something to fire your blood with burning resentment that living people are subject to such conditions. Our policy is not to dwell on past injustices, but these disclosures are existing facts.

For example—chairman's question: 'Did I understand you to say that the condition in this residential school was worse than the worst condition in Toronto?' Answer: 'The diet of the 600 children in Toronto in a poor economic district which we have been studying in the last three months is better than the food the Indians were receiving at the Norway House residential school.'

My point in bringing this to the attention of the committee is to show we have been having statements put on the record and have never made any move to place on the record evidence which would show whether these things are correct or otherwise. Here is another that came to my hand.

"Squalor, abject poverty found in Indians' shacks." Here a Vancouver newspaper sends a man out to take a statement from an Englishman who was out in B.C. teaching school for less than a year. I quote:—

For eight months thirty-four Indian children had trudged daily to the old-fashioned red schoolhouse on the Chilliwack Reserve where they received daily lessons from tall, bespectacled schoolmaster George W. Fellowes. Then, one day, only four pupils showed up. The rest had gone berry-picking south of the border "to help support their families." That incident was the last straw for Schoolmaster Fellowes who is a social worker with three university degrees and who came from England a year ago "to work among the Indians." He promptly tendered his resignation to the Department of Indians Affairs and telephoned the Vancouver *Daily Province* to explain why.

The paper then sent out a man to look over the situation and so in the press we find there is a whole column quoting terrible conditions as revealed by the man sent out by the paper. We as a committee must take some cognizance of these reports. I myself spent a complete day with about 105 Indians present from around that very district. The Indians gathered there and I was present to hear all those complaints and none of them as mentioned by this paper were brought to my attention. However on the resignation of a teacher you get a Vancouver newspaper devoting an entire column to what is stated to be terrible conditions under which the Indians exist there. I am drawing this to the attention of the committee and suggesting that we cannot sit idly by, without some notice being taken. All these matters are going down in print and we might be quoted for time immemorial as doing nothing about the conditions for the Indians throughout the country.

The CHAIRMAN: Another feature is that the article is all one-sided and we have no opportunity of cross-examining at all.

Mr. REID: Yes and this record is standing for all time.

The CHAIRMAN: I believe I had that clipping sent to me. It is from the Vancouver *Province*. Some school teacher resigned. He had come out from



England and spent a year on the Indian reservation to find out all about Indians and now he is complaining about the terrible conditions. We have had no opportunity to get the correct story and I do not think it is desirable to call that school teacher as a witness.

Mr. REID: One of the particular reasons I bring this up is that I spent some time in going up there to meet the Indians in that district and none of the conditions mentioned in this article were brought to my attention. It may look as if I, as a member of the committee, had been somewhat remiss in my duties. If I had heard of these matters I would have investigated and informed the committee. I did get around and all the Indians of that area were invited to come. I never heard anything as bad as is complained of here.

The CHAIRMAN: Well we are hearing from Dr. Moore this morning in any event and we have had many witnesses from British Columbia and none of those witnesses have told us any of these things.

Mr. REID: There has been a suggestion that the committee go and visit some of the other reserves. It is true that I did not take the time to go with the committee when they were down east last fall. I would, however, like to hear a report as to what the visit cost, and how many went on the trip so that it can be discussed. There are various rumours going around. I have heard wild statements made as to the cost, and I have been asked what it cost, but I do not know for I have never been informed. I have heard that it cost so much the government could not again countenance any further investigations of that kind.

The CHAIRMAN: As far as the report of the commission is concerned, that is now ready for the printer. There is a large amount of evidence and as soon as we can get the report printed and tabled in the House it will be brought before this committee. We hope to have it before the committee in perhaps two weeks time.

Mr. REID: Well I would like to know what it cost.

The CHAIRMAN: As soon as it is tabled in the House it will be before the committee, and can be fully discussed.

Mr. MATTHEWS: First, I want to commend Mr. Reid for placing his view on record regarding newspaper publicity of that kind. While I am on my feet I want to say this, that I called a meeting of the education subcommittee a little while ago. We did not have a quorum but we went ahead on a discussion with Colonel Jones who is going up north soon. He wanted some matters placed before the subcommittee with respect to family allowances. We got his version of it and I have asked Mr. Reid and Mr. Case, whenever there is an opportunity at your disposal, to give a résumé of what Colonel Jones said.

Mr. REID: I have two questions which I would like to get from Mr. Hoey in order that we can discuss these things later. How much do we pay Indian hospitals per day for Indians? Does the government contribute in the operation of mission hospitals? When we come to the discussion on hospitals we will know what the cost is.

Mr. HOEY: I think Dr. Moore will be able to give you those figures this morning.

The CHAIRMAN: If it is in order we will have Dr. Moore come forward.

Mr. BLACKMORE: While Dr. Moore is coming forward I would like to ask Mr. Reid, what he thinks we should do about this newspaper matter.

The CHAIRMAN: I do not know that Mr. Reid is a witness before this committee. Probably you might get him to one side after we have adjourned and you could discuss the matter with him.



Mr. BLACKMORE: The only point was that Mr. Reid said he did not think we should sit idly by and not take evidence in rebuttal.

The CHAIRMAN: As a matter of fact I think he did bring out very well the fallacy of paying too much attention to one-sided stories by disgruntled people.

**Andrew Moore, M.D., D.P.H., called:**

*By the Chairman:*

Q. Dr. Moore, you are the director of health services connected with the Department of National Health and Welfare?—A. I am director of Indian and Eskimo health services, in the Department of National Health and Welfare.

Q. You are a medical doctor?—A. Yes.

Q. A graduate of—?—A. The University of Manitoba, 1931.

Q. And how long have you been in the Indian Affairs Branch?—A. Since 1931, sixteen years.

Q. And how long have you been director?—A. I came to Ottawa, in 1938, as assistant superintendent in the Indian Affairs Branch of the Department of Mines and Resources. I was acting superintendent of medical services from 1940 until November 1, 1945, when my service was transferred to the Department of National Health and Welfare. On July 1, 1946, I was appointed director of the Indian health service in that department.

Q. Are there any questions the members of the committee care to submit to Dr. Moore?

Mr. REID: Yes, when were Indian health services changed from the Indian Affairs Branch to the Department of National Health and Welfare?

The WITNESS: November 1, 1945.

The CHAIRMAN: Well, Dr. Moore, you may proceed if you will.

The WITNESS: Mr. Chairman, and honourable members of the Senate and the House of Commons. The Hon. Brooke Claxton appeared before this committee early last year and presented a brief outlining the activities of the Indian and Eskimo health service and the future plans of his department. One year later I am happy to be able to report to the members of the committee that very satisfactory progress has been made on that program. The chief obstacles have been our difficulties in carrying out our construction program, the shortage of personnel, and the lack of adequate transportation facilities. With the permission of the committee I would like to divide my remarks into two categories. Firstly, statements that directly relate to the medical problems, the administration of medical care to Indians and Eskimos, and, secondly, a few remarks regarding opinions I have formed in sixteen years' experience in medical work as a field medical officer and an administrative officer at headquarters. I have a few notes on the services we provide.

Services provided vary from a complete hospital, medical and field nursing service—equal to any rural community in Canada—to areas where, due to distance, sparse population and the nomadic habits of the natives, our services are confined to periodic visits by a doctor and to removing emergency cases to hospital, often by a "mercy flight".

I might state just there that even in these conditions I often think the Indian is in a more favoured situation than the white man. I sometimes wonder what would happen to one of us if we were found back in the bush with a broken leg. Who would pay for the flight of a plane to go and get us?

There are about 2,200 Indian reserves and there are about 20 Eskimo centres. A stock of medical supplies in charge of a dispenser is maintained in each of those centres. The dispenser receives some remuneration for his service. He may be

a missionary, a trader, a Hudson Bay post manager, a member of the R.C.M.P., a teacher or other responsible person. We attempt to get the most reliable persons to keep these drugs and dressings and also to maintain contact with the outside. In the North to-day almost every place is accessible to us by two-way radio through trading posts and other centres. I would like to put some further facts about our service on the record. The Department of National Health, and this division of Indian health service, operates at present 26 hospitals and nursing stations. There are also 20 hospitals and nursing stations, operated by missions, almost totally supported financially by the department. The bed capacity of the departmental hospitals and nursing stations totals 1,608 beds. The Indian health service employs a total staff of 855. Only 53 of these are permanent civil servants, the others are temporary. Of these, 41 are doctors employed on a full-time basis. There are 77 doctors employed on a part-time salary and we have approximately 30 field nurses in our field service. Those are visiting nurses that visit Indians in their homes as distinct from hospital nurses. Not included in the above figure, but presently employed on a fee basis, are some 350 doctors. There are approximately 450 hospitals across Canada where Indians are hospitalized. That is distinct from mission hospitals or departmental hospitals. For instance a patient sent to Toronto is usually sent to the Toronto General Hospital. There are 450 points where we treat patients. The average year runs around 20,000 admissions to hospital. We have approximately 1,100 patients under treatment in departmental hospitals and provincial sanatoria throughout the year for tuberculosis. There are about 200 Indians in provincial mental hospitals.

Now, if it is the wish of the committee, I will run down the names of the various hospitals operated by the department with the bed capacity of each. Perhaps, however, that would just be placed on the record.

Mr. CASE: If it would not take too long I would like to hear it.

The CHAIRMAN: We will have it read.

The WITNESS: In British Columbia we operate three hospitals. First is the Coqualeetza Indian Hospital at Sardis with a bed capacity of 185. The Miller Bay Indian Hospital was taken over from the R.C.A.F. at Prince Rupert and it has 150 beds. We have just opened a former military hospital at Nanaimo which has a bed capacity of 200.

In the Northwest Territories we are operating a nursing station at Fort Norman. We had a departmental hospital but it was destroyed by fire two years ago. That nursing station can look after only two or three cases. They look after emergency cases at Fort Norman.

In Alberta we have the Charles Camsell Indian Hospital at Edmonton with a capacity of 350 beds.

The CHAIRMAN: Is that all for Indian patients?

The WITNESS: With the one exception, at the Charles Camsell Hospital we are treating about 70 D.V.A. tuberculosis veterans.

In Alberta the Blood Indian Hospital is fully financed and operated by the department but it is staffed by the Grey Nuns. At Hobbema we operate a nursing station with a bed capacity of 2. The Morley Indian Hospital at Morley has 12 beds. The Peigan Indian Hospital at Brocket has 10 beds and the Blackfoot Indian Hospital at Gleichen has 30 beds.

In Saskatchewan, the Fort Qu'Appelle Indian Hospital at Fort Qu'Appelle has 70 beds. Building specifications are being drafted at the present and I think they are calling for tenders for an extension to this hospital.

Mr. REID: Would you mind giving the number of hospitals in each province as you go along? You gave the number in British Columbia as 3.



The WITNESS: Yes, 3 in British Columbia and 6 in Alberta. In Saskatchewan there is just 1 departmental hospital at present, the Fort Qu'Appelle Hospital, which we are planning to enlarge. I believe some of the facilities will include a nurses home and a powerhouse. A portion of this money has already been voted. We have not yet opened our hospital at North Battleford which was taken over from the air force and has a capacity of 50 beds. It is expected that this hospital will be opened approximately August 1, next.

Those are the two hospitals in Saskatchewan.

In Manitoba, we have six hospitals. First is the Clearwater Lake Indian Hospital at The Pas with 80 beds. There is a contract allotted at present to enlarge this hospital to supply another 100 beds.

Then we have the Dynevor Hospital at Selkirk with 50 beds; the Fisher River Indian Hospital at Fisher River with 24 beds; Fort Alexander Indian Hospital at Pine Falls with 16 beds; Norway House Indian Hospital at Norway House with 24 beds; the Brandon Military Hospital at Brandon with 225 beds. The Brandon Hospital has just been transferred to this department and there are Indian patients being admitted at the present time although we do not officially take it over until June 15.

In Ontario, we have 3 departmental hospitals. The first is at Squaw Bay near Port Arthur with 26 beds; second is the Lady Willingdon Indian Hospital at Oshweken with 30 beds (that is near Brantford on the Six Nations reserve; the third is the Manitowaning Indian Hospital on Manitoulin Island with 20 beds.

We have 3 departmental nursing stations in Quebec. One is at Mistassini in the Abitibi district at Lake Mistassini, which has two beds. Under construction at Bersimis is the Bersimis nursing station where four emergency patients can be admitted. Construction has just been completed on a departmental nursing station at Fort George up on James Bay where four patients can be admitted. I just sent two nurses up there the other day. They were two charming young ladies, one a graduate of the Royal Victoria Hospital in Montreal and the other an Australian girl and they are going up to the remote stretches of James Bay to take over and staff this nursing station.

In the maritimes, we have just completed and opened a four-bed nursing station at Eskasoni, which I believe some members of the committee saw when they were visiting there last year. In New Brunswick, on the Tobique reserve near Perth, there is a departmental hospital staffed by sisters that supplies four beds.

That makes a grand total of 26 hospitals and nursing stations with a bed capacity of 1,608 beds approximately.

Mr. CASE: You have just related only the departmental institutions??

The WITNESS: Yes, those are actually owned by the department and fully controlled by the department.

Now, also serving the Indian population are those 20 mission hospitals and nursing stations to which I shall refer. These, in most instances have been built by the mission societies and often, I cannot say in every case but in most cases, they have had a grant from the federal government, usually from the Department, the Indian Affairs Branch or the Northwest Territories administration. This grant has varied but it runs up to approximately half the estimated cost of the building. Then, we have made grants also in the way of equipment. Up until recently we were paying at least a portion of the salary of the staff. Then, we have paid a per diem rate which is adjusted from time to time to meet operating costs of these institutions. I have these listed.

If it is the wish of the committee I will put them on the record or read the list. I have not the bed capacity for these mission hospitals. There are nine in the Northwest Territories and the eastern Arctic. There are two at Aklavik,



the Immaculate Conception and All Saints. In the eastern Arctic there is St. Theresa hospital at Chesterfield and St. Luke's. At Fort Smith there is the Fort Smith General Hospital. At Resolution there is St. Joseph's Hospital. At Fort Rae the Bishop Faraud Hospital. At Fort Simpson there is the St. Margaret Hospital. At Hay River there is the St. Peter's nursing station.

In British Columbia, and the west coast, there are two mission hospitals operated by the United Church of Canada which are practically totally used for Indians and as such supported by the department. They are the Dr. Large Memorial Hospital at Bella Bella, and the Bella Coola Hospital at Bella Coola. The United Church did operate another hospital at Fort Simpson until a few months ago, and we took it over from the United Church. We have since closed it and transferred the patients down to Miller Bay. We are maintaining a nursing station at Prince Rupert which I did not mention in the list of nursing stations.

In Alberta, in the northern portion of the province at Demarais, there is St. Martin's Hospital. In northern Saskatchewan there is St. Joseph's Hospital at Ile a la Crosse. In Manitoba at Berens River the Roman Catholic church operates a small hospital.

In Ontario, there are two nursing stations or hospitals at Fort George on James Bay. One is St. Theresa, operated by the Roman Catholic church and the other one is St. Philips, operated by the Church of England. At Albany there is the Fort Albany Roman Catholic Mission Hospital. At Moose Factory there is the Assumption hospital and the Newnham Cottage Hospital. Also in Quebec at Caughnawaga there is the Sacred Heart Hospital with thirty beds.

*By the Chairman:*

Q. Are these hospitals operated by the Church of England or the Roman Catholic Church only?—A. With the exception of the two at the west coast which are operated by the United Church.

*By Mr. MacNicol:*

Q. Would you elaborate a little bit on what hospital accommodation there is at Moosonee?—A. There is a Roman Catholic hospital and an Anglican church hospital operated at Moosonee.

Q. The last mentioned one is new?—A. Yes, I think so.

Q. Are not most of the Indians around there Anglicans?—A. The population of James Bay is 75 per cent Anglican and 25 per cent Roman Catholic.

The CHAIRMAN: I must apologize to the committee for getting you into that debate. There will be a period for questioning later.

The WITNESS: I have made some notes on the administration of our service. As you know, the Indian health service is a division of the Department of National Health and Welfare. There are two distinct divisions in National Health and Welfare. The Department of National Health is under a deputy minister who is present, Dr. Cameron, and the Welfare Division is under Dr. George Davidson as deputy minister.

There is much to be said for the policy of all federal health services being under the Department of National Health. The health of the nation is the business of the Department of National Health and when the health of the Indians is made a direct responsibility of that department, I think the future of the Indians' health services is a bright one.

Some of the reason I should like to quote for saying that I favour this service staying under the Department of National Health are as follows: The first would be the co-operation we get from the other specialized divisions in the department. I would refer to the nutrition division; the division of venereal disease control; the division of dental hygiene; hospital planning division; mental hygiene division; child and maternal welfare division; epidemiology and health

division; all these divisions are placed at my disposal. I can requisition services from any one of them for our Indian problems. The same pattern is followed in every government service. Our Indian and immigration medical services of the Department of Mines and Resources which were formerly attached to the Department of Pensions and National Health are now a division of this Department of National Health. The treatment of sick mariners is similarly handled. Civil service health, which is to be set up later to look after the health of civil servants in all departments is another example.

*By Mr. Case:*

Q. When are you going to take over the care of the members of parliament? —A. We are looking after the health responsibilities so far as the Department of Transport is concerned. That has been attached particularly to my division due to the radio stations in Eskimo territory. We send doctors on their boat who also look after the Eskimo while they are in the north.

There has been no great problem of administration involved in this transfer. Mr. Hoey and myself have offices on the same floor in the same building. We are able to keep everything on the track, as it were. There was some confusion, when the transfer was first made, in the minds of our field staff. Our instructions were to leave everything in the status quo; that nothing was changed. I write directly to the Indian agents with Mr. Hoey's permission on matters pertaining to Indian health. We have left the Indian agent as the officer of medical health. All our medical health business is conducted through these agents; that is apart from the work of the medical officers, the doctors themselves. For instance, an Indian agent is the only one who can certify that such an Indian is a member of a certain band. He certifies to it before the certificates come down to the department.

Probably this will be of slight interest to the committee, but it is of vital interest to Mr. Hoey and myself. Our major problem right now is space. We are occupying about 17,000 feet of space and we need 30,000 feet. We both have services we are anxious to start up and get going but we have not a single square foot in which to put the people. I have, at present, a specially trained person in vital statistics who has been waiting for five months to come on my staff. I could have made a much more comprehensive statement to the committee if I had this person working for me, but we have not the space. So long as the administration can be kept together at headquarters, it is my opinion this will work very well.

Further, we have planted across the country sort of regional superintendents of Indian health services. The country has been divided into eight regions conforming roughly to the provincial boundaries in each area. We have regional superintendents. Mr. Hamilton, in his evidence, made a reference to the regional superintendent of the Manitoba inspectorate which corresponds very largely to his inspectorate. Dr. Wood is across the hall from him and can consult frequently on business matters.

There was always some split between the medical service and the administration. Our funds were always voted in a different category. The only purpose for which you could use medical funds was for medical services. Similarly, no fund voted for the rest of the administration could ever be used for medical services. There is another point and this is probably a delicate one for a civil servant to bring up, but for an efficient administration the senior officials should have easy access to their minister. The minister requires first hand information regarding all services. I have worked under five different ministers: the first, when we were the Department of Indian Affairs, and since becoming a branch of Mines and Resources, under two ministers and under two ministers in National Health and Welfare. I can state, from my own experience, that I have seen my minister of National Health and Welfare, either one of them, more in any week than I did any other in the total of sixteen years past. I am



making that a point for saying that a large service such as the whole Indian administration, being a branch of a huge department such as Mines and Resources, does not give the officials of that department sufficient time with the minister to administer efficiently.

I mentioned the nutritive services that we of the department extend to the Indian Affairs. I should like to quote briefly from the Canadian Nutrition News published by the department in May, 1947. It is entitled, "Feeding Children in Indian Residential Schools." I shall not read the whole of it, but I would like to refer to one paragraph.

The Indian health services of the Department of National Health and Welfare requested that the nutrition division extend a continuous dietary service to Indian residential schools. To date 17 schools in Ontario, Manitoba, Saskatchewan and Alberta have been visited to ascertain the individual aspects of each food service as a basis for future assistance. On the completion of the visits recommendations for each school are made to the Indian Affairs Branch and to the Indian health service. The nutritive division will be sending menus, recipes, shopping lists, work schedules and other materials to assist the food service. Organized cooks courses are being planned. Suitable educational material by way of posters, pamphlets and a lot of literature will be provided for use in the class rooms of residential schools.

That is a sample of the type of service which we are planning to get from the various other divisions of the national health coming to the assistance of the Indian health services and their problems.

I am very anxious, later on the day, to speak of this James Bay situation. I am sure, Mr. Case, there is a great deal of misinformation in that report which can be straightened out on the record later.

There are specific problems of our administration which I wish to place before your committee on which we, in the department, would certainly welcome direction and advice from the committee. These points are controversial. The first one I am going to mention is the liability of a government service to pay for the medical cost of Indians who are quite able to pay for their own. This comes under two headings, the first of which would be Indians who are known by field officials to have adequate incomes, sometimes many times what the Indian agent himself is receiving. Secondly, where a band has considerable band funds and could afford to pay its medical costs from the band funds without crippling the band fund, that is, the interest would be sufficient to meet the medical costs without touching the capital and still leave interest money for other administrative matters on the reserve.

As an example of that, I will quote the Blackfeet band who have approximately \$3,000,000 in band funds on which they receive 5 per cent interest from the government. Up until recently this Blackfeet band had paid their total medical cost. At the beginning of this year they forwarded a resolution of the council stating they were, in future, going to refuse to pay their medical costs and asking that that be paid from an appropriation.

*By Mr. MacNicol:*

Q. Did they not own a hospital?—A. They had been paying all the costs of the hospital; paying the salaries and the cost of the doctors and services, as well as for such special services as glasses, dentures, artificial limb and other things in that category required by their people. I objected very strenuously at time and had our minister write the Minister of Mines and Resources. This has been referred to you, I believe, sir. I took the stand that a wealthy municipality such as the Blackfeet Indian reserve should not expect the balance



of the taxpayers in Canada to meet their medical costs. By correspondence with the Indian agent and that band I was successful in convincing them of that fact. They reversed their decision for this year and are meeting their medical costs. There are other bands who have large band funds who might take a similar attitude. I think your legal committee on the revision of the Act might take note of this since it may require an amendment to the Act, if it is the wish of this committee.

The CHAIRMAN: The subcommittee on revision of the Act.

The WITNESS: There is a possibility that it may require an amendment of the Act to allow the government to charge costs, where it is deemed advisable, to the band funds without the consent of the Indian band. For instance, the Blackfeet voted against paying their medical costs. There is a division of opinion as to whether the present Act would allow these costs to be charged to their band funds.

I think that makes the position clear regarding band funds. The other question which I should like to leave with the committee for consideration is whether an Indian with a good income should be provided with medical services at the expense of the taxpayers of Canada.

Mr. HOEY: There is a third item there, Dr. Moore, which gives us a lot of trouble and which I think you should mention.

The WITNESS: I am coming to that. These people are in two categories; that is, those to whom I have been referring. The Indians who are living on the reserve, and I have in mind, for instance, in the village of Caughnawaga, where the Indians live there and work in Montreal. Some of them have an income of \$10,000 a year, yet they come back on the taxpayers of Canada to meet their medical costs. They want the best accommodation in the Montreal General or the Royal Victoria Hospital and they expect us to pay for it. Their own reserve hospital is not good enough for them.

Then, Mr. Hoey mentioned a point which is very troublesome and one on which I am sure we would both be very pleased to have any advice this committee would care to extend. It is the question of the liability of the department to pay medical costs and, in Mr. Hoey's case, relief, for Indians who have left the reserve now and who are at present living somewhere else. We refer to it as a regulation, but it is really a departmental directive from the minister known as our eighteen months' clause. It states that if an Indian has left his reserve and established himself in the municipality or on land assessable for taxes has been absent from his reserve for eighteen months, we will refuse to pay his medical costs; or relief, in the case of Mr. Hoey's branch. I did not know whether this was referred to in former evidence or not.

I do know that Mr. Zimmerman in his evidence before the committee—if you refer to page 1180 of May '11, 1947, you will see where Assistant Commissioner Zimmerman referred to this problem. He voiced the same objection to paying this money as has been voiced here. This has been one of our major problems. We have no machinery to control the payment. An Indian lives and becomes settled in an organized municipality where we have no representative. We have no way of controlling or checking up on those costs. We feel he has become a citizen of that municipality, probably paying taxes both direct and indirect and if he is not able to meet his own costs, he is a resident of that municipality the same as the Canadians or non-Canadians who might reside there. This has been the stand of the department. It has been referred to by representatives of the Indians. They think we should follow up the Indian and pay his medical costs, in such cases.

To put both sides of the question fairly, there is one point I think should be brought out. It would seem, in one way, that we are penalizing the progressive Indian who does get out of the reserve and starts to make his own way. He loses

that free medical service under this ruling. However, I may say we have never been too dogmatic in enforcing that clause. We have tried in different instances to review the circumstances. We have told our field people repeatedly not to make these decisions but to forward all the circumstances here. In some instances there was undue hardship.

*By Mr. MacNicols*

Q. Are you now following the same policy in that regard which you did under the Department of Mines and Resources?—A. Yes, none of our policies have been changed. We have tried to keep the thing just the same to avoid any confusion in anybody's mind as to what our policies are or how these regulations are being carried out.

Another very controversial point which comes up many times is the fact that non-Indians have settled permanently on Indian reservations. They establish residence qualifications there and they lose residence qualifications in their municipality. They are not legally Indians and we cannot legally pay for them. Somebody says they are Indians and they get into the hospital. The hospital accepts them. The municipality will not pay for them. We cannot legally pay for them so the hospital is left holding the bag. We are at a loss to know what to do with those people. They are really on the reserve as trespassers. If it were possible to remove them from the reserves, it would remedy our problem.

The CHAIRMAN: Would you like to call it one o'clock now?

The WITNESS: I think the next step into which I am going would take a few minutes to complete. Those are our ideas regarding compulsory treatment and we request this committee, with the revision of the Act to strengthen our present regulations.

The CHAIRMAN: Gentlemen, it is now one o'clock. We will meet here again at four o'clock this afternoon when Dr. Moore will continue his presentation.

The committee adjourned at 1.00 p.m. to meet again at 4.00 p.m.

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#### AFTERNOON SESSION

The committee resumed at 4.00 p.m.

The CHAIRMAN: Gentlemen, will you come to order please.

Mr. CASE: Mr. Chairman, I would like to point out that I brought up this morning the matter of a report which appeared in the *Toronto Globe and Mail* concerning the situation with respect to the Indians in the James Bay area. Mr. Reid also brought up a similar point and spoke about the question of calling rebuttal evidence. I would like to suggest that while Dr. Moore is here this afternoon that he comment on the situation at James Bay.

Mr. REID: I believe also that I brought up an important matter because statements made on the record will be quoted not only in the House of Commons, but outside as well, and if no rebuttal is made it might look as if we were simply derelict in our duty. These statements to which I have referred may be accepted as correct whereas we, as a committee, do not know whether they are correct.

Mr. CASE: Mr. Reid, before you came in this morning I read an article in the *Globe and Mail*, a rather devastating series of remarks, about the James Bay Indians and I am suggesting that Dr. Moore reply.

Mr. REID: It was along the same lines as I read?

Mr. CASE: Yes.

The CHAIRMAN: Would Dr. Moore like to say something about the James Bay incident that has been brought up this morning before the committee.

**Andrew Moore, M.D., D.Ph., recalled:**

The WITNESS: Mr. Chairman, and members of the joint committee of the Senate and the House of Commons. This part of my remarks could well be brought up now while we are referring to the map. In answering this question I think the members will see more clearly what I am trying to point out if I refer to the map.

The James Bay Indian agency takes in roughly this area here. You can see the vastness of it.

The CHAIRMAN: For the purpose of the record I think you should indicate in words. The witness is pointing out on the map of the Dominion of Canada an area south of Hudson Bay and east of Hudson Bay, surrounding that part known as James Bay.

The WITNESS: It consists of a depth around James Bay of approximately 150 miles. This vast area is populated by approximately 3,800 Indians.

HON. MR. TAYLOR: Doctor, could you give the approximate number of square miles which that area covers?

The WITNESS: It would be at least 600 miles by 400 miles.

MR. CASE: 25,000 square miles.

The WITNESS: 250,000 square miles at least.

MR. CASE: That is close enough. We will not hold you to an inch.

The WITNESS: The Indian agent is located at Moose Factory. As was formerly the custom in some of these areas where so much travelling was required the Indian agent and the doctor is the same person. The doctor was appointed as Indian agent and acts as a doctor also.

The present Indian agent there is Dr. C. J. Orford and he has clerical assistance in carrying on the Indian agency duties. There is a hospital at Moosonee, a private hospital operating under a private licence. These mission hospitals or nursing stations are substandard hospitals. They are not hospitals in the correct nomenclature and should not be referred to as such. They are the best that can be operated at present and they are operated by the mission at Port Albany and there are two at Fort George. One is operated by the Anglican church and one is operated by the Roman Catholic church. Similarly at Moose Factory there are two. One at Moosonee is operated by the Roman Catholic church and one by the Anglican church.

MR. REID: Is there also a private hospital there?

The WITNESS: No, the Moosonee hospital is licensed as a private hospital. It is not a public hospital and it is not up to a standard that could be licensed as a public hospital.

The CHAIRMAN: You are referring only to Indian hospitals?

The WITNESS: These are fully Indian hospitals. They are there for the treatment of Indians and very few other patients are admitted.

The CHAIRMAN: What Mr. Reid means is, is it a public general hospital or is there such a hospital?

The WITNESS: No, there is not.

The Indian agent here, Dr. Orford, is provided with a departmental boat. The statement read this morning said that only one visit per year was made to those Indians. Now that statement is not correct. The doctor travels continually all summer long around the Bay visiting those points where Indians are congregated.

MR. REID: What size is the boat and what power, so it will give us an idea how long it takes to travel?



The WITNESS: It is a sixty-foot cabin cruiser that will do about ten knots an hour. In addition to that we have chartered aeroplanes. I think probably there were five or six chartered flights last winter, where the doctor went out to these various points on the Bay, once up as far as Port Harrison, seeing Indians. Port Harrison must be at least 700 miles from Moose Factory. Dr. Orford visited Port Harrison once or twice, I believe twice, last winter. He also visited these other various points around the Bay. Each of these points has two-way radio communication with the doctor at Moose Factory. In addition to the service I have described we employ at Moose Factory two departmental nurses. These nurses travel to these points, where there are Indian settlements, by air and on the doctor's boat and they will be stationed for some months this year at these various points.

Mr. REID: What is the bed capacity?

The WITNESS: The bed capacity?

The CHAIRMAN: Of which one?

Mr. REID: What is the bed capacity of the hospital he has just named?

The WITNESS: You mean the two at Fort George. I must say also that the department has just completed, and you will see the reason for this when I enlarge on our scheme for medical services in the remote areas, a nursing station at Fort George which we are opening this summer. We have sent two nurses up there. They are at present working with the native population around this area. These hospitals have a bed capacity of about 30 beds between the two of them.

The CHAIRMAN: Did you have that on the record this morning?

The WITNESS: No, I did not give the bed capacity of these mission hospitals. They would probably be able to accommodate twenty patients at Albany and, between the two hospitals at Moose Factory, about forty patients. Now I am not attempting to say we have anything like an adequate medical service for the James Bay agency but I have pointed out that I think we have far more, and are supplying far more medical service, than this despatch which was referred to Mr. Case this morning would indicate.

Mr. CASE: Have you any comment Dr. Moore, to make on the statement that the mortality rate is 600 deaths per thousand babies?

The WITNESS: I do not think there is any accurate basis for that estimate. I have not got the exact figures but I am sure they are not that high. I can give you our infant mortality rates for the whole of the Indian population. The infant mortality is always estimated on a basis of 1,000 live births. The infant mortality is 132 per 1,000 live births and for the balance of the Canadian population—

Mr. REID: Per 1,000 did you say?

The WITNESS: Per 1,000 live births the figure is 132. For the balance of the Canadian population, that is the population of Canada excluding the Indians, it is 49 per 1,000 live births. It is a far cry from the 600 mentioned in the despatch. I will admit our statistics are bad. We know we are losing too many babies, and losing too many mothers, and we know our T.B. rates are terrifically high, but we have plans under way which we hope will reduce those rates.

Mr. CASE: Is there considerable tuberculosis in the James Bay area?

The WITNESS: Yes, there is. At the present time there are between 35 and 40 patients in the Weston Sanatorium in Toronto, who have come from James Bay.

The CHAIRMAN: There are some down in Essex county too.

The WITNESS: Yes, we have an Eskimo in the Essex County Sanatorium who comes from Great Whale river.

With the facilities which we have had, we have done everything humanly possible, but the proper facilities have not been available for those people. We certainly have never turned down a request for a chartered plane or to send a doctor out. If we hear of sickness we send a plane and send a doctor and send relief. If there are casualties or if there is sickness we fly them out.

Mr. CASE: Have you plans for improving the facilities in James Bay?

The WITNESS: Yes, definite plans. If that can be taken as the statement regarding our present services in the James Bay and more or less answering the criticism which was brought to the attention of the committee by Mr. Case this morning, then, while you are seated in this arrangement so you can see the map, I might refer to the planning of the department to improve the services.

Mr. CASTLEDEN: Might we ask before you go on, was there some outbreak of a very virulent type of measles in that area this year?

The WITNESS: No, the outbreak that got the publicity was at Lac du Brochet. It covered this whole area over into Saskatchewan to where the Northwest Territories border joins with Manitoba and Saskatchewan. That is where the outbreak of the very virulent type caused 40 deaths last winter.

Mr. MATTHEWS: Was the figure of 132 per 1,000 that you referred to Doctor, the percentage which covered the whole Indian population in Canada?

The WITNESS: Yes, 132 deaths out of every 1,000 live births for the Indians as a whole.

Mr. MATTHEWS: Do you know if there is much difference with respect to various locations in Canada?

The WITNESS: I would say that areas such as James Bay and in the hinterland right across the country would show considerably higher rates than probably would be the case on the Six Nations reserve where our health facilities are much better.

Mr. REID: That is perfectly understandable.

The CHAIRMAN: On page 154 of our 1947 minutes of proceedings in the brief submitted by the Canadian Association of Social Workers and the Canadian Welfare Council, it is stated under the heading of tuberculosis mortality:—

In 1944 the tuberculosis death rate among Indians was 579.2 per 100,000 population. Among all other groups it was 42.2 per 100,000 population.

If half-breeds are included with Indians, the rate for 1944 was 665.6 per 100,000 population, and for the population excluding Indians and half-breeds 41.6 per 100,000 population.

True, the Indians may have a special racial susceptibility to tuberculosis, but this scarcely detracts from the essential point. The prevalence of tuberculosis is one of our most reliable indicators of social standards of living. It is a disease of poverty, spread by ignorance. Even allowing for the possibility of racial susceptibility—which may merely be chronic malnutrition—it is a shocking commentary on the extent of poverty and ignorance which we have permitted to exist among the Indian people that the death rate from tuberculosis should be almost 14 times as high among the Indians as it is among other groups in Canada, and 16 times as great if half-breeds are included.

#### *Infant Death Rate.*

Comparative infant mortality rates bear testimony to the same situation. In 1944 the death rate for all children under one year of age was 54 per 1,000 live births. Among Indians the rate was 180.3 per 1,000 live births.

The WITNESS: Was that for 1944?

The CHAIRMAN: Yes.

The WITNESS: The figures I gave you were for 1945. We have just obtained them from the Dominion Bureau of Statistics.

The CHAIRMAN: There has been some decrease as of that particular year?

The WITNESS: You see, with a small population such as the Indian population, an epidemic in one given year would make quite a wave in the rate. If you are familiar with the workings of statistics you would know that when you are dealing with these rates in per hundred thousands and there are just a little over a hundred thousand Indians, an epidemic which caused thirty deaths would shove your rates up. Our T.B. death rate in 1945 was an improvement also. This was 612 per hundred thousand which is a decrease over 1944.

Someone, commenting on my remarks this morning, said I was apparently leading the public to believe I was satisfied with our present medical services to the Indians. Now, I do not want to create that impression. I was trying to place on the record some of the things we have accomplished. I should like to go on and tell you something of our future plans.

There are many Indians, as among other divisions of the population, who are among the haves and the have nots. In the settled areas in many parts of the country, we have a very complete medical service which is provided free to the Indian population. In many cases, it is an excellent service. In other places, it is not quite as good, but it is still quite an efficient service and compares favourably with rural municipalities in like type of country.

*By Mr. MacNicol:*

Q. And in other places once a year?—A. We go from that to those areas of the hinterland where we are practically devoid of medical service. As Mr. MacNicol remarked, we at least do make an effort to have a doctor travel with the treaty party even to the most remote places. Also, when a tragedy occurs, we send every possible aid.

With regard to the epidemic to which reference has been made at Lac du Brochet, I have a short statement regarding that which I prepared at the time.

The epidemic of measles among the Indian peoples in the sparsely populated Lac du Brochet area in northwestern Manitoba which, with its complications, caused over forty deaths, served to illustrate the difficulties confronting the Indian health services. A total of eight chartered aeroplane flights was made to the area which extended over a radius of eighty miles around the Lac du Brochet post. Two doctors and four nurses were sent there and food and medical supplies were distributed. The abnormal severity of the winter and the deep snow had interfered with the native food supply and the usual movements of the population to the western trapping ground. With a large percentage of the population stricken, fuel became a desperate problem.

It was so desperate we had to remove people from one house to another house and take down the log house to use for fuel. They could not get out to get wood and that just made the situation that much more difficult.

I believe everything possible was done. I should like to pay tribute to the doctors and nurses who went through their work under such desperate circumstances and to the traders who extended such valuable assistance.

A joint committee between the Manitoba health service and the dominion Department of Health has been set up to study the best ways and means of establishing more in the way of medical services for such places.



As I say, the problem in places like this would be very difficult. For many months of the year there is not a single person at a post. There are groups of one or two families going out to their trap lines. Then, they collect at various times in these posts. You can see the difficulty of trying to follow them by having parties fly up to these camps and take care of the sick.

Mr. CASE: I think, in fairness, you should specify what plans you have for improving the medical facilities in the James Bay areas. I have Magistrate Tucker's speech as reported in the press and I accept that because he must know something of what he is talking about. I think you should really clarify it because he has appealed to the Red Cross and the people are alarmed.

The CHAIRMAN: I think perhaps Dr. Moore had planned on that but he may have wanted to do it at a later time.

The WITNESS: I can proceed with that right now because this is typical of the type of service I have recommended should be supplied in the other areas. As we proceed, I will point on the map the areas designated and how it would work.

For two years in succession an item appeared in the branch estimates, first for \$250,000 and then for \$200,000. It is not in this year, but it is under discussion for the supplementary estimates. This would make it possible to build a departmental hospital at Moose Factory.

*By Mr. MacNicol:*

Q. Out on the island?—A. On the island. If this is proceeded with, it will be a government hospital. It will be designed adequately to meet the need for hospitalization of the area outlined before, including the Eskimo population scattered all down the coast, that is, the east coast of Hudson Bay. Tied in with that and to make the service of any value, we must have a series of nursing stations of which the first one has been erected at Fort George. Nursing stations will be recommended probably for East Main, Rupert House, Albany and Attawapiskat. A pre-fabricated nursing station is being shipped this year and will be erected on the coast at Port Harrison. At each of these nursing stations we will have emergency accommodation for a few patients. The nurses will have two-way radio communication with the doctors and medical staff located at the hospital.

To make this scheme of any value whatever, we must have air transportation so that the doctor can go out frequently and go about these posts and to see that the patients who require hospital treatment can be brought to an adequate hospital. It is humanly impossible to run adequate hospitals at all these points. You can give a degree of nursing care, but you cannot get attendants to carry on the treatment necessary in these places. I visited many of these places and I found it impossible to try to run hospitals under such circumstances as they have to operate. There is a great difference of opinion as to whether we should try to build hospitals in the outposts rather than bring the patients in to a place where you can give them proper hospitalization. We have given the problem a great deal of study and I am convinced the only way to give anything like adequate service is to have central hospitals with these outlying nursing stations connected by two-way radio and air transportation.

In the planning, I should like to take you right across this map from James Bay to this area in Manitoba, Norway House. I will show you, in my opinion, how it is quite practical to carry out this program. Sioux Lookout is the headquarters of the Indian agency and comprises most of the area in that northern section. It runs north from Ombabika, on the northern line of the Canadian National, to Hudson Bay about Cape Lookout. It goes to the Manitoba

border and follows it out to where it joins Hudson Bay. There are in this vast area about 5,000 Indians. At such a point as Sandy Lake, there are about 800 Indians. There are about 1,100 Indians making their headquarters at Big Trout Lake. There are lesser groups at Osnaburgh House, Port Good Hope, Cap Lake, Favourable Lake, Deer Lake and other such points.

Again our recommendation is that nursing stations equipped with two-way radio and staffed with nurses be established. In this connection, I want to interject that we are planning on training Indian girls to go into these posts with the nurses to act as companions to the nurses and to be interpreters. Our hope is that these Indian girls will, one day, be fully able to man these posts. We are going to put on a real training program and train the Indian girls to go into the nursing stations as companions and work with the nurses. With the co-operation of the educational branch of Indian affairs, some of the Indian girls have taken this mothercraft training in Toronto. I have interviewed several of these girls and promised them employment. Two of these girls are in Australia taking a special course in midwifery. When they return they have agreed to come into our service and we will find places for them in this type of work.

A hospital is badly needed at Sioux Lookout to serve all this area. At present, we have the permission of our minister to include in our supplementary estimates, a sum sufficient to proceed with the construction of this hospital. We have to clear that project with reconstruction. We hope we can get it through in time to start construction this fall.

Mr. MacNICOL: When will there be an opportunity, Mr. Chairman, to ask the Doctor about these hospitals.

The CHAIRMAN: When he has finished his presentation.

The WITNESS: We have a hospital already designed for Sioux Lookout. Again, if our plans are allowed, it will be our plan to proceed with an adequate supply of proper hospitalization facilities provided we can bring these people in by air. We could let the nursing stations look after the emergency cases and have a place for the doctor to sort out the cases needing hospitalization.

*By Mr. Case:*

Q. Do you receive assistance from the Red Cross?—A. We are giving assistance to the Red Cross, rather than receiving it. In many cases we support the Red Cross financially and they, in turn, through some of their outpost hospitals give us some service. I might say, in that regard, I am attending a meeting in Montreal on Saturday between the provincial health people and the Red Cross in connection with a scheme to supply medical attention to those who are scattered in the area along the north shore of the Gulf of the St. Lawrence where there are various Indian settlements. We are trying to work out a general scheme. The white people there are in a bad way. We are trying to fix up a hospital ship as a joint effort between the Red Cross and our service and the Quebec Department of Health for that area.

As you move over here to Norway House, we have an inadequate 15 bed hospital which usually has about 30 or 35 patients in it. We hope to be able to replace that with an adequate hospital. There are about 5,000 Indians again in this agency with 800 at Cross Lake; 300 or 400 at Oxford House; a larger group at Gordon Lake and about 1,100 at Island Lake. Again we propose to build a nursing station at each one of those points with our central hospital and our medical staff at Norway House.

Now, coming back to air transportation, I do not know whether I am speaking in a way that may draw censure when I tell you we have included in our supplementary estimates sufficient funds and are asking for authority to purchase an aeroplane. An aircraft such as a Norseman, based at Sioux Lookout with our



medical party could work through this area. When it is over here, it could go on up and base itself at Moose Factory. They could spend a few weeks working around James Bay. It could work back again and when it comes over Manitoba, stop in this area. It could go all through here and serve this Norway House area. In that way, in those areas, we could have a means of getting these sick people out to hospital and have patients seen by doctors at central points at intervals of not longer than six weeks apart. The more air service we have the more frequent we can make our visits. This shows what one plane can do in that section of the country.

After all, there are a lot of Indians around here for whom we cannot do much; that is, around the Lake of the Woods. There are some over here, around Lake Nipigon. This same plan could, in time be applied to service that country. There would be, in that area, between 15,000 and 20,000 Indians.

The CHAIRMAN: That is in the area of James Bay, Sioux Lookout and Norway House?

The WITNESS: Yes, including Indians from the Port Arthur agency, the Fort Frances agency and the Lake of the Woods agency.

*By Mr. MacNicol:*

Q. That is really half of Ontario?—A. Yes, those people have very little at present in the way of medical services. A few of them do find their way out and get into a hospital. We do see a few when we can send a medical party in.

*By Mr. Reid:*

Q. Could that type of service not be extended to every province?—A. That is the type of service we are trying to build up to spread right across Canada. I submitted to the committee earlier that by means of eight planes based in strategic locations we could supply this type of service to most of the Indians in Canada.

Q. With just one large hospital at some central point?—A. Yes, because I think you must base your service on a hospital. I think anything else you try to do is medically unsound.

Q. Unless it is an adequate hospital there is no use bringing anyone into it?—A. Unless you have an adequate hospital, there is no use bringing anyone in.

I have read all the briefs which have been presented and I may have something to say on this question of the free choice of a hospital by an Indian. I suggest there must be some limit to that. I am in agreement with, all things being equal, the man having some choice, but I do not think an Indian should be allowed to say he wants to go to this hospital or be persuaded to say he wants to go to that hospital when, if he were put in an adequate hospital, he could probably be cured in a year. He may be suffering from some type of tuberculosis for which the hospital of his choice cannot treat him and he may lay in that hospital for five years and the government pay a per diem rate for his maintenance in that place. That is where I think the line should be drawn on this free choice of hospital by the Indian himself while the taxpayer is footing the bill.

*By Mr. Reid:*

Q. You would have to have hospitals and infirmaries?—A. Yes, there is a place in this service for what we like to speak of as rehabilitation centres, that is, when patients have been taken out of hospital they can be sent there to recuperate sufficiently to go back to the reserve. It would fill up the gap between long term hospitalization and reserve life back on the reserve.

*By Mr. Case:*

Q. In your opinion they would far better be all government hospitals?—A. Yes, I am very definitely of that opinion. I think that deals with the portion



of my statement on which I wish to refer to the map. While I was on the subject I was going to make some remarks about the Eskimo health service. Probably the members could follow it more easily if I refer to the map while making these remarks. Is it your wish that I should deal with the Eskimo?

The CHAIRMAN: Yes. As I understand it the Supreme Court decision has declared that Eskimos are Indians for the purposes of the B.N.A. Act, so that I think the question of Eskimos would come under the jurisdiction of our committee.

The WITNESS: There are no departmental hospitals so located at present that they can serve the Eskimo population. There are four mission hospitals that are treating Eskimo patients where we pay for the maintenance of those patients. Two of those are located at Aklavik at the mouth of the Mackenzie river. There is one operated by the Roman Catholic church at Chesterfield inlet and one operated by the Anglican church at Pangnirtung. If you can see Cumberland Sound here, which is right about 66 degrees latitude on the top of the map, Pangnirtung is right in there.

Mr. REID: Would you point out Aklavik? I knew it was not on the map. That is why I say that is not a complete map of Canada. It is only a map of railways in Canada.

Mr. CASE: There is a lot of it there though.

Mr. REID: I will have to admit that.

The WITNESS: We employ a full time doctor in salary from this department at each of these three centres, and they treat such Eskimo as they can reach from their posts. As I have mentioned Dr. Orford from Moose Factory has visited Eskimo on Belcher Island, Great Whale river and as far up as Port Harrison. We have been able to do quite a bit during the last war. There was an American air base known as Crystal 2 up at Frobisher Bay near Ward Inlet. There was a former American air base at Fort Chimo on Ungava Bay. The American air force have co-operated and have brought many patients requiring treatment from Baffin Island down to Goose Bay. The Canadian air force have brought them down from there and they have been treated in the Royal Naval hospital at Halifax. I think we have some seven Eskimo there at the present moment. They are a long way from home.

Then we have a nurse at Fort Chimo. We have another one at Frobisher who is later going over to Lake Harbour. I should like to take a moment to pay a tribute to the nursing profession. We all hear a great deal about the scarcity of nurses, but you would be surprised at the applications we get from nurses to go into the hinterland and to serve in these remote posts. At the present time we have not a spot in the north where we can find accommodation for a nurse but what we can get a nurse to go. I was responsible for a little story that appeared in the *Toronto Daily Star* the other day about the nursing station at Port Harrison. The reporter who wrote it up was kind enough to state that any nurses desiring such experience should apply. We have had several applications from nurses willing to go and serve at these points which are very isolated.

Mr. REID: They must make better pioneers now than men.

*By Mr. Case:*

Q. Do you pay them on a bonus?—A. We pay them about the same rates as D.V.A. pay in their hospitals.

*By Mr. Farquhar:*

Q. Do they agree to go for a certain length of time?—A. We ask them to stay a year. Some of them stay longer. Travelling expenses to get them in there are very considerable. They all go in expecting to stay at least a year.

About the only other service we have is the annual patrol of the Royal Mail ship *Nascopie* which leaves Montreal and travels up into the Hudsons straits, around Hudson Bay, and up around the tip of Baffin Island as far as Fort Ross. Last year we had a very complete medical party consisting of one of the leading surgeons in Ottawa, Dr. Hooper, and we have a prominent departmental medical officer who takes that trip annually. Last year we had an X-ray machine, and we were successful in getting X-ray plates of about 38 to 40 per cent of the population in the area visited. The figures are interesting. Of approximately 1,400 Eskimos who were X-rayed 4.4 per cent on X-ray evidence alone we believed would require sanatorium treatment. There was another 5 or 6 per cent who showed they had had extensive disease which had healed just living their native life. They had had extensive tuberculosis of the lung and it had healed. There was evidence that most of the population at one time or another had had contact with tuberculosis.

I think I should mention some of the problems we run into in bringing out Eskimo, particularly children. The air force picked up two children up in the area of Payne Bay and brought them out to Goose Bay. We eventually got them down to Montreal and later we had them admitted to the Weston Sanatorium, Toronto. One had a far advanced tuberculosis of the spine. She was a little girl six years old, and there was a little boy of four with a tuberculous knee. After two years treatment both those patients have made a complete recovery. The little girl is the pet of the whole institution. They have both forgotten how to speak the Eskimo tongue. We cannot locate their people in the north. They have just gone out to another post, and probably are under another name. We have these children in the Weston Sanatorium. I wish some of you could tell me what to do with them. They are cured. They are bright as a dollar, but they are just divorced completely from their native life. It would be sentencing them to death to send them back to the life which they have lost.

In addition to this service, at almost every Eskimo point there is two way radio. We send in stocks of medical supplies. The doctors in the area send out such messages as they can to the mounted police, missionaries and traders to treat whatever they can among the sick of the community. It is pretty meagre service but it is financially impractical to consider an adequate health program for 7,700 people scattered along the entire north coast of Canada including Hudson Bay and the Arctic islands.

We are making some plans that will improve the situation. We think with more air service we can spread it. We will treat Eskimo at Churchill, at the army hospital, who come from up this coast. This area, which has a couple of thousand Eskimos, can be treated by air service. They can be brought by air to Moose Factory and hospitalized at Moose Factory. In these places we will try to get enough wards filled with Eskimos that they will be able to speak their tongue and be associated with their own people rather than isolated from them.

I might mention that a scientific party under the auspices of Professor Ettinger of Queens university is going to study certain physiological problems among the Eskimos on Southampton island this year. We are assisting in that, and a report will be made available. That is in addition to the other study that is going to be conducted in the James Bay area amongst the Indians by Professor Tisdall and Professor Brown who appeared before your committee at your first meeting after Easter last.

*By Mr. Reid:*

Q. Dr. Moore, were you just giving us the hospitals in certain sections of Canada or all hospitals?—A. I was speaking of certain sections to serve as a guide as to what we are planning for the whole of the country.

The CHAIRMAN: Just one moment. There has been a question raised as to whether we should now permit questioning of the witness. The practice has been



that the witness is permitted to complete his brief and then we ask questions whether it is this day or the next day. We will have to adjourn tonight at 5 o'clock. There are ceremonies at 5.15 or 5.20.

Mr. CASE: 5.30. The House of Commons is adjourning at 5.20.

The CHAIRMAN: What is your pleasure with respect to examination of the witness? Do you want to go on with questioning? Assuming that we adjourn at 5.10 we would have fifteen minutes. Would we accomplish anything by asking questions in that period or shall we let the witness proceed.

Mr. MACNICOL: It is hardly worth while.

Mr. MACLEAN: I think we should let the witness proceed.

Mr. CASE: I had one thought in mind. Dr. Moore has had a long experience with the department during which he has been able to observe a great deal of the life of the Indians, their educational facilities, and so on, which we know are important factors in the life of the Indian. I have an impression with respect to schools about which I should like to ask Dr. Moore. Then the whole thing would be in bold relief when our questioning commences. Whether or not Dr. Moore would like to answer a question on schools I do not know, but I should like to ask that question, with your permission, if it would be in order.

The CHAIRMAN: You can ask the question and he can answer next day.

Mr. CASE: He can answer next day or delve into it now so that when we do come to the question period we will not only have the health survey but we will also have his opinion with respect to schools.

The CHAIRMAN: Is that agreeable to the committee?

Mr. MACNICOL: The doctor is not expected to answer questions about schools.

Mr. CASE: That is the point, whether or not he would care to.

Mr. MACNICOL: We had some one before us the other day telling us about schools.

The CHAIRMAN: Ask the question.

Mr. CASE: I should like to ask Dr. Moore if he thinks that the government should encourage residential schools. If you answer that in the negative the next question will be, "What is the alternative?" If you answer in the affirmative the second question would not apply. Do you think the government should encourage residential schools?

The CHAIRMAN: Do you want to go into that question now?

The WITNESS: Mr. Chairman, when I began my remarks I said with your permission I would divide them into two categories. I will complete what I have to say about medical services. And then I would like an opportunity of putting on the record some of my views regarding Indian administration and Indian problems in general, just my own personal opinions that I have formed over sixteen years of association very closely with this work.

The CHAIRMAN: I presume that is agreeable to Mr. Case. His question is on the record.

Mr. CASE: Oh, certainly.

The WITNESS: I would answer by quoting from some experiences which I have had. I am going to refer at several points to the residential schools; particularly to the health aspect, further in my evidence. I think at this time I might place before the committee our opinion regarding compulsory treatment; particularly for trachoma, venereal disease and tuberculosis. Any authority the department has in this matter stems from section 95, paragraph (a) of the Indian Act; which, stated briefly, is this: the Superintendent General may make such regulations as he deems necessary for the prevention or mitigation of disease. Further on it refers again to communicable diseases. There are regulations under this section of the Act which we have used, but I think most of them need a



strengthening and bolstering; and I think that your subcommittee which is dealing with the revision of the Act could well bring in a recommendation which we will make specifically to them regarding this section of the Indian Act which gives us this authority. I feel there are changes which should be made. I think the regulations should be made by the Governor General in Council rather than by the Superintendent General; I think probably they should have a little stiffer penalties to make this effective. I personally favour very much incorporation into the Act or regulations, regulations similar to those provided in the Ontario Hospital for Consumptives Act, which gives authority for compulsory treatment for a person with infectious disease. Under the present regulations we take them but we cannot keep them. We can put them into an institution and they can walk out within the next five minutes. We cannot restrain them. If we had a provision which is similar to that which is contained in the Ontario Act for Sanatoria we would have the power to do that. I do not think it should be left to the whim of any individual whether or not he will accept treatment. I think we should go even further, and it seems to me that we should protect him in his own interests and in the interests of his family. We should stop him from being a carrier of disease germs, both for his own good and for the good of his family. We should not hesitate to use such a policy. I do not know whether the committee will agree with that or not, but I feel very strongly on the matter. Where we find people who have venereal disease we have the authority to compel them to take treatment, and we cannot do that under the regulations under which we are now working. But we cannot expect to do much for the Indians when we have so little of compulsion with respect to such diseases in most provinces. There is no unanimity in the law with respect to that matter. The reason that we cannot get them under our own regulations is that we have great difficulty in getting the provincial authorities to take action in the case of Indians. We cannot get the provincial health authorities, the provincial courts or the provincial police to apply the provisions of the provincial regulations to the Indians. They simply say, that is federal business; these are Indians; use your own regulations.

MR. REID: Is it not compulsory in every province, the regulation with respect to venereal disease?

THE WITNESS: We can use provincial law, and they have come for treatment. If the committee would like to hear them I will put our regulations on the record. There are three or four pages of them.

MR. REID: Is it not compulsory in all provinces, with regard to venereal disease?

THE WITNESS: Not in every province, but in most of the provinces, yes.

MR. MACNICOL: Why is it that some Indians are not compelled to take treatment? I reported to the committee some cases that came to my attention—

THE CHAIRMAN: I am sorry, Mr. MacNicol, I cannot hear what you are saying.

MR. MACNICOL: I asked the doctor why that young Indian on the Tobique reserve was not compelled to take treatment. I mentioned his case myself in my report, that he was allowed to be running around. It seems that the nurses in the hospital could not do anything with him and the doctors could not do anything with him.

THE CHAIRMAN: I think Dr. Moore has already said that there is no compulsion.

THE WITNESS: There are certain provinces which do not have compulsory legislation. Other provinces have. I cannot answer you positively, but I am under the impression that there is no compulsory legislation in New Brunswick for the control of venereal disease.

Mr. MACNICOL: I mentioned that case in my report and I would like to know what is being done about it.

Mr. CASE: He says he does not think they have any compulsory legislation in New Brunswick.

Mr. MACNICOL: But that is on the reserve.

The WITNESS: Our departmental regulations could be made to apply there. I will be glad to check up on that case for you if you will give me the name of the patient.

The CHAIRMAN: Do you know the name of the case?

Mr. MACNICOL: No; it is not in the report.

The CHAIRMAN: You can look up the report on that and let us know. That is in the report made by Mr. MacNicol early in the present session, in our minutes No. 4, at p. 128.

The WITNESS: Is it the wish of the committee that I put our regulations in their present form, the regulations for the prevention and mitigation of communicable diseases, on the record?

The CHAIRMAN: Is that agreeable?

Carried.

The WITNESS: You do not want me to read it. I will just hand it to the reporter?

Mr. CASTLEDEN: Unless there is some comment you want to make on it.

The WITNESS:

#### SECTION 17: REGULATIONS FOR THE PREVENTION AND MITIGATION OF COMMUNICABLE DISEASES AMONG INDIANS

(a) The regulations are made under the authority of paragraph (e) of section 95, chapter 98, Revised Statutes of Canada.

(b) These regulations shall apply to all Indians or other persons residing on Indian reserves or special reserves, to the individuals of any community of Indians residing off a reserve, and to the staff, employees and pupils of Indian residential schools.

(c) In these regulations, unless the context otherwise requires:—

1. "Department" means the Department of Indian Affairs at Ottawa, or the commissioner, inspector or other officer to whom the Indian agent is accustomed to address requests for authority or to render reports.

"Indian agent" means the agent appointed by the department to administer the affairs of any Indian reserve, special reserve or other community of Indians; it also means the principal of any Indian residential school which does not come under the charge of any Indian agent.

3. "Medical attendant" means the physician appointed by the department to render medical service to any band, community of Indians or residential school.

4. "Medical health officer" means the medical health officer of any municipality or health district of the province or territory in which the band, community of Indians or residential school is situated.

5. "Indian agency" or "agency" means any Indian reserve or special reserve, community of Indians or Indian residential school, or any number or group thereof, under the charge of an Indian agent.

(c) The Indian agent is the health officer for all Indian reserves, Indian communities or schools under his charge. He derives his authority from and is responsible to the Department of Indian Affairs.

(d) Unless otherwise provided for in these regulations the regulations of the department for control of communicable disease among the Indians

of any agency shall be the public health regulations of the province or territory in which the agency is situated.

(e) Everyone knowing or suspecting that any person subject to these regulations has a communicable disease, or has died of a communicable disease, shall give immediate notice thereof to the Indian agent, or, if there is no Indian agent, to the department.

(f) The Indian agent shall report the outbreak or existence of communicable disease in the agency under his charge within twelve hours to the department and to the medical health officer. The method of reporting shall be by telegraph if telegraphic communication is possible.

(g) Having so reported, the Indian agent shall proceed without delay, and without further instructions to enforce quarantine, placarding, isolation or such other measures as may be prescribed by the public health regulations of the province or territory for the control of the communicable disease, which he has discovered in the agency.

(h) The Indian agent shall be guided by the advice of the medical attendant in the interpretation of the public health regulations of the province or territory, and in professional matters relating to the diagnosis of communicable disease and the treatment of patients and contacts.

(i) The Indian agent shall have the right of entrance to any building, wigwam, tent or premises situated in the agency under his charge, and he may cause anyone in that agency known or suspected to be suffering from a communicable disease to be examined by the medical attendant and he or the medical attendant may, upon direction of the Superintendent General, order the alteration or destruction of any building which in the opinion of the Superintendent General is unfit for human habitation.

(j) In the event of a situation being urgent and it being impossible for the agent to attend the required place within a reasonable time, he may authorize in writing a medical attendant, farming instructor, school teacher, police constable or other reliable person to act for him in carrying out his duties as health officer.

(k) In the event of a dispute arising as to the application of the Public Health Act to an Indian band, or in the interpretation thereof, the Indian agent shall make full report to the department in writing.

(l) Every doubtful case of communicable disease shall be classed and dealt with as if it were a case of communicable disease until such is disproved.

(m) In the event of communicable disease occurring in an institution where the occupants are resident and complete isolation cannot be obtained in one or more rooms of the institution the whole premises shall be quarantined.

(n) Whether or not venereal diseases and trachoma are designated as reportable diseases by the regulations of the province or territory in which the agency is situated, they are so designated by those regulations when occurring among Indians or other persons subject thereto.

(o) The regulations governing the control of venereal diseases among Indians shall be those of the province or territory in which the agency is situated, provided, however, that no Indian agent or person under the authority of the department shall cause any Indian to be committed to prison for neglect of treatment for venereal disease, or for refusal to accept treatment for venereal disease without first reporting the facts to the department and receiving specific instructions to do so.

(p) Under no circumstances whatever are the Indians of any agency to be subjected to wholesale compulsory examination for the diagnosis of venereal disease.

(q) The Indian agent may authorize any police officer or constable to secure the attendance for examination or treatment of any individual person subject to these regulations, who having been medically examined and found



to be suffering from venereal disease or trachoma and having been warned to attend for such treatment neglects or refuses to do so.

(*r*) The Indian agent, on being informed that any person subject to these regulations has transmitted a venereal disease to any other person, may cause the person so complained of to be examined by a legally qualified physician.

(*s*) If the medical attendant certifies that the presence of any person suffering from tuberculosis, venereal disease or trachoma in a house or school is a menace to the health of other residents of the house or school, the Indian agent shall report the facts to the department, and send a copy of the medical attendant's certificate, and if so instructed by the department, he shall have authority to order the removal of the person to a hospital or place of isolation.

(*t*) If the medical attendant certifies that effective isolation or quarantine of any case of communicable disease other than tuberculosis, venereal disease or trachoma cannot be secured in the house or school in which the person suffering from such disease resides, the Indian agent may order the removal of such person to a hospital or place of isolation.

(*u*) On some convenient day during the month of September in each year the Indian agent shall instruct the medical attendant to visit each school in the agency under his charge, and to vaccinate against small pox every pupil in the first year of his or her attendance at school, and also every pupil in the last year of his or her attendance at school, provided that such pupil, after due enquiry, is not found to have been successfully vaccinated within five years. The school teacher shall also be vaccinated unless found to have been successfully vaccinated within five years, or to have been twice successfully vaccinated since his or her birth.

(*v*) The medical attendant shall again visit the school at a suitable time after vaccinating the pupils on which occasion he shall revaccinate any pupils whose previous vaccination shall be found to have been unsuccessful, and shall deliver to each person successfully vaccinated a certificate of vaccination, using the printed form supplied by the department for this purpose.

(*w*) The Indian agent shall render a report to the department stating that the vaccinations of the pupils of the school or schools under his charge has been carried out in the manner prescribed in paragraphs (*u*) and (*v*) of these regulations. He shall state in his report the number of pupils so vaccinated, and shall keep in his office a record of their names and of the dates of their vaccinations.

(*x*) Immediately on the outbreak of small pox on or near any Indian agency or reserve the Indian agent shall cause all persons residing in the agency or reserve to be vaccinated at once, provided that no person shall be compelled to submit to each vaccination if he or she can show reliable evidence of successful vaccination within five years.

(*y*) Any one wilfully obstructing an Indian agent or other duly authorized person from entering any house, building, wigwam, tent or school in carrying out the provisions of these regulations, or having, or being suspected of having, a communicable disease refuses to submit himself or herself for examination and treatment by the medical attendant or other qualified physician on being directed to do so by the Indian agent or by some one on his behalf duly authorized by the agent, or who refuses to obey instructions given by the Indian agent in carrying out these regulations, shall be liable on summary conviction to a penalty not exceeding thirty dollars or to imprisonment for a term not exceeding thirty days.

All regulations heretofore made under the provisions of paragraph (*e*) of section 95 of the Indian Act are hereby repealed.

MR. CASE: Are these statutory regulations? Have they been passed by parliament?

THE WITNESS: No. They were made under section 95 of the Indian Act which gives the Superintendent General power to pass regulations; and also under

section 3, on page 33, there is the penalty provision—a fine of \$30 or thirty days in jail upon summary conviction.

Mr. MATTHEWS: After the thirty days is over, what happens then?

The WITNESS: You can do it all over again.

Mr. MATTHEWS: You can pick him up the second time?

The WITNESS: Yes.

Mr. CASE: Is the power to make those regulations in the Act?

The CHAIRMAN: The right to make the regulations is there.

The WITNESS: That is what is known as “enabling legislation”. It is used very commonly in public health. Now, I just want to make a few remarks on health services.

The CHAIRMAN: Gentlemen, don't you think this would be a good place at which to adjourn? We are supposed to be out of here at ten minutes past five.

The WITNESS: I think I would like to enlarge somewhat on this. There are a lot of points to be brought out.

The CHAIRMAN: I think we had better adjourn now. We will meet again on Thursday morning next at 11 o'clock.

The committee adjourned at 5.10 p.m. to meet again on Thursday, June 12, 1947, at 11.00 am.













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SESSION 1947



(SPECIAL JOINT COMMITTEE OF THE SENATE  
AND THE HOUSE OF COMMONS

APPOINTED TO CONTINUE AND COMPLETE THE EXAMINATION  
AND CONSIDERATION OF THE

INDIAN ACT

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 33

THURSDAY, JUNE 12, 1947

WITNESSES:

Chief Councillor Mike T. Montour, Mohawk Band, Caughnawaga, Quebec;  
Matthew Lazare, Jr., spokesman for Hereditary Chiefs, Caughnawaga;  
Chief Michel Penetouche, Low Bush, Ontario, Abitibi Agency, Quebec;  
Chief Paul Rock, Bersimis, Quebec;  
Mr. L. E. Beauvais, Caughnawaga Reserve, Quebec;  
Mr. F. McD. Jacobs, Caughnawaga Reserve, Quebec;  
Mr. George A. Cree, Montreal, Quebec, for Lake of Two Mountains, Quebec;  
Mr. James Montour, Oka, Quebec;  
Chief Charles Nolette, Pierreville, Quebec;  
Chief Clifford White, St. Regis Reserve, Quebec;  
Messrs. Joe Mitchell and Moses Thompson, St. Regis Reserve;  
Mr. Charles Canadian, for Caughnawaga Taxi Association.

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1947



# MINUTES OF PROCEEDINGS

HOUSE OF COMMONS,

THURSDAY, 12th June, 1947.

The Special Joint Committee of the Senate and the House of Commons appointed to continue and complete the examination and consideration of the Indian Act (Chapter 98, R.S.C., 1927), and all such other matters as have been referred to the said Committee, met this day at 11 o'clock a.m.

Presiding: Mr. D. F. Brown, M.P., Joint Chairman.

*Present:*

*The Senate:* The Honourable Senators Fallis, Macdonald (*Cardigan*), McKeen and Taylor—4.

*The House of Commons:* The Honourable Mr. Stirling and Messrs. Brown, Blackmore, Bryce, Case, Castleden, Farquhar, Little, MacLean, MacNicol, Matthews (*Brandon*) (Vice Chairman), Raymond (*Wright*), Richard (*Gloucester*)—13.

*In attendance:* Mr. W. J. Ford Pratt; Messrs. R. A. Hoey, Director, Indian Affairs Branch; Eric Acland, Executive Assistant to Director; Hugh Conn, General Supervisor, Fur Developments; J. H. Gordon, for H. M. Jones, Supervisor, Family Allowances; also Rep. J. O. Plourde, O.M.I.; also, Mr. Norman E. Lickers, Barrister, Counsel for the Committee and Liaison Officer.

The Chairman welcomed the delegations present representing Indians resident in the Province of Quebec.

Those delegations included: (From Elective Council and Hereditary Chiefs, Mohawk Band, Caughnawaga): Chief Councillor Mike T. Montour; Constant Albany; Hereditary Chief Cy Square; Hereditary Chief Joseph Martin; Councillor Thomas Sky; Councillor Angus Bordeau; Councillor Frank Cross; their spokesman was Matthew Lazare, Jr.; their interpreter, Mr. Frank Small Fence. With them were Chief Jesse Lyon and Chief Theodore Thomas, both from Onondaga Reserve, New York State; (From Caughnawaga): L. E. Beauvais; Jos. Delisle, Jr., F. MacDonald Jacobs and Rev. Father Lalonde, S.J.; (From Abitibi Agency): Chief Michel Penetouche, Low Bush, Ontario; (From Bersimis Agency): Chief Paul Rock, representing Montagnais of Bersimis; also Chief Maret Collard; Joseph Boivin and Narcisse CouCou and Chief Paul Minquish; (From Pierreville): Chief Charles Nolette, representing the Abenakis; (From Lake of Two Mountains, Oka): Mr. George Cree; also Lewis Gabriel and James Montour; (From St. Regis): Chief Clifford White; Paul Coldwell and John Jacobs; also, representing Hereditary Chiefs, Joe Mitchell and Moses Thompson; (Representing Caughnawaga Taxi Association): Charles Canadian.

Matthew Lazare, Jr., spokesman for the Elective Council and Hereditary Chiefs, Mohawk Band, Caughnawaga, Quebec, was called, read a brief and withdrew to await questioning.

Chief Michel Penetouche, from Abitibi Agency, was called, but was permitted to stand down until the arrival to-morrow of Mr. H. Lariviere, Indian Agent, Abitibi Agency.

Chief Paul Rock, Bersimis Agency, was called, presented a brief written in French which was translated into English and read by Mr. L. J. Raymond, M.P. (*Wright*). (Brief will appear in the printed record as Appendix GA).

The Committee adjourned at 1 o'clock p.m., to meet again this day at 4 o'clock p.m.



## AFTERNOON SESSION

The Committee resumed at 4 o'clock p.m.

*Presiding:* Mr. D. F. Brown, M.P., (Joint Chairman).

*Present:*

*The Senate:* The Honourable Senators Fallis, Macdonald (*Cardigan*) and Taylor—3.

*The House of Commons:* Messrs. Brown, Blackmore, Brunelle, Bryce, Case, Castleden, Farquhar, Gariepy, Harkness, Matthews (*Brandon*), MacLean, MacNicol, Raymond (*Wright*), Richard (*Gloucester*)—13.

*In attendance:* as at morning session.

Mr. L. E. Beauvais, Caughnawaga, Quebec, was called, and presented a brief (which appears as Appendix GB to this day's minutes).

Mr. F. A. McDonald Jacobs, Caughnawaga, was called and made a statement.

Mr. George A. Cree, Montreal, Quebec, representing Lake of Two Mountains, was called, and made a statement. He also presented a brief which appears as Appendix GC to this day's minutes).

Mr. James Montour, made a statement with regard to the effect of the Royal Proclamation of 1763, as regards Lake of Two Mountains. He also presented a written brief. (See Appendix GD to this day's minutes).

Chief Charles Nolette, Pierreville Agency, was called. He presented a brief, written in French. (See Appendix GE). Mr. Raymond, M.P., read this brief in English.

Chief Clifford White, St. Regis Agency, was called and made a statement.

Messrs. Joe Mitchell and Moses Thompson, spoke on behalf of the hereditary chiefs of the St. Regis Reserve.

The Committee adjourned at 6 o'clock p.m., to meet again at 9 o'clock this evening.

## EVENING SESSION

*Presiding:* Mr. D. F. Brown, M.P., (Joint Chairman).

*Present:*

*The Senate:* The Honourable Senators Johnston, McKeen, Robicheau and Taylor—4.

*The House of Commons:* Messrs. Brown, Castleden, Farquhar, Gariepy, Gibson (*Comox-Alberni*), Harkness, Matthews (*Brandon*), MacLean, MacNicol, Raymond (*Wright*), and Richard (*Gloucester*)—11.

*In attendance:* as noted above.

The Chairman read into the record a letter from Grand Chief John Jacob in behalf of the life chiefs and Clan-Mothers of the Longhouse, Mohawk Branch of the Six Nations Confederacy, resident at Caughnawaga.

Mr. Charles Canadian, representing Caughnawaga Taxi Association made a statement. He was not allowed to discuss a matter presently *sub judice*, being on the calendar of the Provincial Courts for the 18th of this month.

Mr. Lickers presented a brief submitted by the Huron Indians of the Lorette Reserve which was read into the record. (See Minutes of Evidence).

Matthew Lazare, was recalled and questioned by members of the Committee and by Mr. Lickers.

The Committee adjourned at 11 o'clock p.m., to meet again to-morrow, Friday, 13th June, at 11 o'clock a.m.

T. L. McEVOY,  
Clerk of the Joint Committee.

## MINUTES OF EVIDENCE

HOUSE OF COMMONS,

JUNE 12, 1947.

The Special Joint Committee of the Senate and the House of Commons appointed to examine and consider the Indian Act met this day at 11.00 a.m. Mr. D. F. Brown, M.P., (Joint Chairman) presided.

The CHAIRMAN: Will you come to order please, gentlemen.

We are to-day to hear from the Quebec delegation of Canadian Indians. On behalf of this committee I want to welcome the various members of the delegation and for the purpose of the record I might say that there are nine representatives in ceremonial Indian costume, which is very colourful.

I want to welcome not only those nine delegates and representatives but also delegates and representatives from other parts of Quebec. I would assure them that we will do our utmost to hear their briefs and their suggestions to this committee with respect to the revision of the Indian Act. Now I want you to feel free to discuss matters fully with this committee and if you have any suggestions at any time please draw them to my attention and we will be glad to give you a full and complete hearing.

Now we have to-day official delegates from Caughnawaga, Abitibi, and Bersimis. The Caughnawaga Indians are represented by Chief Councillor Mike T. Montour. Chief Montour of Caughnawaga would you please stand?

Mr. MONTOUR: The elective council at Caughnawaga has nominated Mr. Lazare to act as our spokesman.

The CHAIRMAN: What is his first name?

Mr. MONTOUR: Matthew.

The CHAIRMAN: Well I wonder, Mr. Lazare, if you would introduce the members of your delegation and if you would have them stand.

Mr. LAZARE: The first is Chief Councillor Mike Montour; the next is Constant Albany; the next is hereditary Chief Cy Square; the next is hereditary Chief Joseph Martin; the next is Chief Edward Lalonde, another hereditary chief; the next is Councillor Thomas Sky; the next is Councillor Angus Bordeau; the next is Councillor Frank Cross.

The CHAIRMAN: Thank you very much, Mr. Lazare.

Now are there any others from Caughnawaga with you?

Mr. LAZARE: There are no others in our delegation, Mr. Chairman. There are two representatives from the Six Nations confederacy, from the Six Nations council.

The CHAIRMAN: Who are they?

Mr. LAZARE: There is Chief Jesse Lyon of Onondaga, New York; the next one is Chief Theodore Thomas, also of Onondaga. These two members were sent by the grand council of the Six Nations to represent the Six Nations.

The CHAIRMAN: Is there anyone here representing Abitibi? I understand that we have Chief Michel Penetouche. You are from Abitibi, Chief?

Chief PENETOUCHE: Yes.

The CHAIRMAN: Is there anybody else with you?

Chief PENETOUCHE: No, I am alone.

The CHAIRMAN: Now we have, from Bersimis, Chief Paul Rock.

Have you anyone with you, Chief Rock?

Father PLOURDE: This chief's name is Maret Collard; this man is Joseph Boivin of Wemontachi; the next gentleman is Mr. Narcisse Cou Cou, who is a councillor from Wemontachi; this gentleman here is Chief Paul Minquish, who is from the Ouiatchouan agency.

Mr. HOEY: Mr. Chairman, the agent from Abitibi is at present attending a conference of Indian agents at Quebec City, as is also the agent from Maniwaki. Both of them, with perhaps certain other Indians, will come in to-morrow but they could not possibly be here to-day.

The CHAIRMAN: Now we have Chief Charles Nolette, from Odanak, Quebec. Is there anyone with you, Chief Nolette?

Chief NOLETTE: No.

The CHAIRMAN: From Oka we have Mr. George Cree; from St. Regis we have Chief Clifford White, and with him, Councillor Paul Coldwell, John Jacobs, and Abe Coldwell.

I believe there are others here. Mr. Beauvais, you are from Caughnawaga.

Mr. BEAUVAIS: Yes.

The CHAIRMAN: What is your first name?

Mr. BEAUVAIS: Ed.

The CHAIRMAN: We also have Mr. Joseph Delisle of Caughnawaga and Frank McDonald Jacobs.

Mr. JACOBS: We also have Father Lalonde, who is on our committee, and we have Mr. Peter K, Jacobs from Caughnawaga; Mr. Charles Canadian and Mr. Jean Canadian also from Caughnawaga.

The CHAIRMAN: Thank you very much, and as far as the delegation from Quebec is concerned we want to give them as full a hearing as possible. Unfortunately we may have to close the hearings of the committee by noon to-morrow so we will have a meeting until one o'clock to-day another meeting from four until six to-day and from nine until eleven this evening. It is rather a hard day I realize, with all the other duties the members have to meet and fulfill, but unfortunately that is about the only way we can do it because we do have to terminate our hearings by noon to-morrow. The first delegation is from Caughnawaga and I believe that Chief Montour said that they had nominated Mr. Lazare to speak for them.

Would you care to come up, Mr. Lazare?

**Mathew Lazare, spokesman for Caughnawaga, called:**

The WITNESS: First I would like to say we have omitted the name of one of our delegates. He is Frank Small Fence, an interpreter for the band.

The CHAIRMAN: Thank you Mr. Lazare.

Now then, gentlemen, we want you to feel as free and easy as you can feel under the circumstances. If it is more comfortable for you to stand up and speak, please do so, otherwise you may remain seated. If there is anything that you would like to draw our attention to please do not hesitate. If there are any suggestions you would like to make just make the suggestions and we will try to follow them. I am trying to say to you that you are among friends and we want you to feel as free and easy as you can.

Now would you like to go ahead with your brief, Mr. Lazare?

The WITNESS: Mr. Chairman, ladies and gentlemen. First I would like to thank you on behalf of the council and the hereditary chiefs for the warm



welcome you have extended. It is with great honour we stand here before you to discuss our many grievances. I am only authorized at the present moment to discuss what is in this brief, so I will go ahead and read the brief.

The CHAIRMAN: I might draw to your attention Mr. Lazare that after you have read your brief there will be a period of questioning. The members of the committee may have questions in their minds which they would like to put to you as a witness when you have finished reading the brief. There will be no interruption until you have finished. If the reading becomes tiresome you can ask me and I will read a little bit. We want you to feel free to proceed without interruptions and then afterwards we will question you.

CAUGHNAWAGA, PROV. QUE.,

May 10th, 1947.

The WITNESS: Honourable members of the joint committee, we, the councillors and life chiefs, of Caughnawaga, the only authorized body to transact the affairs of this Caughnawaga, Mohawk Band of Indians.

The councillors and life chiefs duly assembled on this 10th day of May, in the year of our Lord 1947, at a grand council to discuss and consider the merits of the "Indian Act", and the (8) Eight Points Questionnaire as requested:

We have therefore unanimously approved the following:

We have duly and faithfully discussed and considered the Eight Points Questionnaire and we have come to the following conclusions:

1. We demand the restoration of our primordial rights, the respectation and fulfilment of treaty obligations, the recognition as a sovereign nation.

We have no desire to be governed in the future by the "Indian Act", or any other form of government. The "Indian Act", as it stands to-day is a detriment to the progress of our people. All the power is vested in the superintendent general of Indian Affairs and the Indian agent, which leave our councillors and chiefs no power to control our own affairs and problems on our reserves, all they can do is offer suggestions in the form of resolutions which often go unanswered. For an example out of 485 resolutions passed the Department of Indian Affairs answered about 40, many unfavourably. The Indian Act is the most bureaucratic and dictatorial system ever imposed on mankind.

You have violated our treaties by making compulsory laws for us Indians, and the surrender of the dominion government of the natural resources to the provinces, because through it, you the dominion government transferred the rights of the Indian to live. You have taken the food out of the mouths of Indians and put it into the mouths of those who are going to vote for you. By the "Indian Act", Indians are subject to rulings of the Department of Indian Affairs presided over by the honourable Minister of Mines and Resources, and from his decision there is no appeal. The department acts on all matters on the report of the Indian agent under Section 99A. The agent is appointed by the Indian Affairs and he presides over all the meetings of the Indian council and controls all proceedings. He has sovereign power to govern as he sees fit.

The Indians to-day are a subject race, held down by the very Act which is supposed to help and protect them. Indians cannot discuss their own problems, they are tied down to a helpless condition and cannot move or do anything until the Indian agent so directs; Indians cannot go direct to the department for redress of any grievances, as all communications must be through the Indian agent, who in many cases is the direct cause of the grievances. The agent has the power to veto any resolution of Indian council, and any effort on their part to go over his head will be totally ignored by the Department of Indian Affairs. In truth, nothing can be accomplished unless recommended by the Indian agent. In fact his duties are becoming more and more like a dictator.

The "Indian Act" tends to divide then destroy the red man. The elected council came into being by fraud and treachery. On one of our reserves the elected council came into being by sheer force of arms and threat of violence which disbanded our government, but in the minds and understanding of our people, there can be only one government for us, "The Six Nations Government".

Therefore, we charge you, the Canadian government, aided by the Royal Canadian Mounted Police, of invading our domains and forcing foreign laws on our people by force of arms.

Gentlemen! is this not what we fought for in this last war? The protection of the principles of freedom, to stop the brutal aggressor? Then why should you let some small nations be subjected to dictatorship right here at home?

Gentlemen! the Indian was once the ruler of this vast and rich country, now to-day he has a two-by-four reservation left and still your government is not contented until it takes all. Gentlemen! is it too much to assume that you do not want us or a foreign government to make laws for you? Then, how can you expect us to accept or like the laws you impose on us?

The officials of the Indian department have overruled regulations in the "Indian Act" to suit their purposes. They also, especially the Indian agent, make all arrangements and agreements for companies and provincial governments to make roads, bridges, towers for electricity, etc., without the consent of the band, who are owners of the reserves.

The burning down of our town hall is a complete responsibility of an official of the Indian department, as it was in his use at the time; he had his office in it, and he was heating it by oil stove, which was the cause of the fire. Therefore we claim from the government of Canada the sum of \$10,000 for damages caused by its official. By virtue of our treaty rights we demand the abolition of the "Indian Act," the exemption of all Indians from compulsory taxation and compulsory military service.

By virtue of our treaties we demand the removal of all whites from our reserve, including the officials of the Department of Indian Affairs and the Royal Canadian Mounted Police, as they afford no protection for our people. We want it known that the lands on our reserves is the sole property of the Indians, not the provincial nor dominion.

Therefore unless you advise your people especially the motorist using the many roads through our reserve, that we will tolerate no longer the wanton destruction of our animals, the killing and endangering the lives of our people, we will be forced to set up blockades on all roads and restrict the use of same thereafter.

Therefore we the councillors and chiefs unanimously resolve not to make any suggestions to the revision of the Indian Act, where our people are concerned by virtue of our ancient treaties, but demand the abolition of the Indian Act on behalf of the Six Nations confederacy. We therefore ask you, the federal government, to abandon the proposed Indian Act. You cannot hope to have us believe that the new Indian Act will be to our advantage and advancement, when we have been so often deceived in the past. The Act retards the progress of our nation, and as it stands today can be criticized from the beginning to the end, every section of the Act. It is too dictatorial and the powers vested in the Indian agent and superintendent general are too arbitrary and autocratic, and binds our people on a double chain of pauperism and mental servitude.

We therefore insist that treaties, as made by our great forefathers were in the form of agreements between two equal sovereign nations, but that you the whites took the attitude that we, the Indians, were not your equal, when you abrogated treaty clauses which guaranteed to the Indians of the Six Nations rights of self government as an independent nation.

That by virtue of our treaty rights Indians of the Six Nations are not liable to any federal or provincial laws within their territories.



That by virtue of our treaty rights, Indians of the Six Nations are not liable for payment of taxes to either the federal or provincial governments.

That by virtue of our treaties, we demand the government of Canada the proper adjustment of treaty obligations to meet our demands, the recognition and respectation of our privileges and rights as a sovereign nation, who are able to govern and make laws for ourselves.

In dealing with those treaties, between Great Britain and the United States, wherein the independence of the Indians of the Six Nations, both Great Britain and the United States have confessed that the Six Nations were an independent people. The supreme courts of both countries furthermore recognized those treaties as inviolable.

In the life of Sir Frederick Haldimand *Making Canada* V. 3, p. 356, it is found that the question of the sovereignty of the Indians was very embarrassing in that it would have been impossible on any theory of the laws of the nations for Great Britain or the United States to establish a prerogative in themselves to enforce the laws of the white man upon the owners of this country.

To make this admission still stronger that article was amplified by amendment of 1796—Mallory p. 607, which provided that no treaty made or to be made by either party with another nation or with any other Indian tribe should be construed to deny those tribal rights.

We cannot and will never approve of the Indian Act by virtue of the existing treaties numerated herein:

1. Treaty of Peace and Friendship 1784, in this treaty will be found Indians are not citizens or subjects of any country, but are a nation in themselves.

2. Treaties of 1759 and 1791 King George III is absolute Protector of Indians, and absolutely forbidden to purchase or molestation of Indians.

3. Treaty of New York 1774.

4. Jay Treaty 1776. No boundary line for Indians, because they are not citizens of either Canada or the United States.

5. Treaty of 1794 confirming the sovereignty of the Six Nations.

6. North Western Anglo Treaty 1873.

7. Grant of King Louis XIV 1680.

8. General Gage's Judgment 1762.

9. Imperial Proclamation 1766.

10 Royal Proclamation 7th Oct. 1763.

11. Treaty of Ghent Art. 9, to cease hostilities, to restore to the Indians their possession, rights and privileges, not complied with.

We expected you to safeguard our interest, not give it away as you have done in the past.

2. The right to decide as to who or whom belongs to this band or other band of Six Nations lies within the jurisdiction of the local chief and councillors. It does not lie within provincial nor dominion government jurisdiction.

You would not want us to decide for you as to who or whom is a citizen of Canada. It is only just that only the Indian can justly decide for himself, as every one knows one another in our reserves, as to who or whom is a member of this band, or bands of Six Nations Indians of Canada. The Indian Act and your government has done enough, so much in fact that it has made white people members of this band.

3. As long as an Indian is domiciled on a reserve and he seeks employment in a city or town or any part of the country away from home or his reservation, it does not change his Indian status, and you, the government, cannot take his money legally. What he earns is his own personal property and that cannot be taxed.

Certain reservations are subject to provincial taxation on electrical services, and stores sales tax; the provincial government has no jurisdiction to legislate on Indian territory and cannot impose taxation within a reserve limits.



The income tax cannot be imposed on Indians domiciled on the reserve, because wherever he may be off or on the reserve he is still an Indian and the compulsory taxation on Indians is a violation of British justice—no representation, no taxation and against the proclamation of King George III and an infringement of Indian treaty rights. Therefore we demand a refund of all moneys collected from Indians on income and electric tax, etc. And another form of compulsory collection of moneys has been enforced on reservations in the form of unemployment insurance.

We base our arguments on the merits of our aboriginal heritage as we never imparted nor ceded any of our rights to any government or nation.

Our future, the future of your country and my country, will be exactly what we together make it. The preservation of the principles of the Four Freedoms, and the United Nations Charter.

4. We do not approve and will never submit to the government's demand of enfranchisement for the Indians of the Six Nations both voluntary or involuntary. We do not want enfranchisement of any form whatsoever. Voluntary enfranchisement should not be fostered or encouraged by the government and involuntary enfranchisement must be abolished for ever for all Indians.

5. We, the Six Nation Indians, by our International Treaty are allies of His Majesty's government, therefore we are also allies of Canada and the commonwealth. Therefore, we do not desire to be governed, or to be considered eligible to vote for any dominion or provincial elections. Therefore we have no interest and never will be interested in a vote for any other form of government, except our own Six Nations government.

6. The encroachment of white persons on our Indian reserves is made possible through the Indian Act. The officials of the department through powers of the Indian Act have decided that it is to the advantage of the Indians to rent houses to whites, by elevating their living conditions, this is and has been done regardless of protests and feeling of our people. The only elevating form the renting of houses has done for our people, by burning and destruction and damaging the houses. Now gentlemen is that making our people richer or poorer? Therefore we demand the removal of all whites from our reserves, nuns, priests and government officials included.

7. The operation of Indian day or residential schools is not approved by this band, if it will be operated by any religious denomination. We do not approve the Nuns or Sisters of St. Anne's to teach our children as they do not teach our children enough, the only thing they learn is praying and singing and marching to church during school hours, also they get holidays for a priest's birthday, etc. We do not approve the rebuilding of our burnt school unless it becomes a public school which takes children of all religion and teaches them. Same as the protestant school system of Montreal, which is one of the highest form of education in Canada. We demand qualified teachers with degrees for teaching, to teach our children. The creating of vocational section and also the creation of a technical branch.

We demand these things because our children deserve the best form of education this country can give, to be prepared to meet and conquer the industrial and professional world of to-morrow. We also complain and object to the behaviour and activities of the Jesuit Society, who are in control of our church. They are meddling in the affairs of this band when all they have a right to do is be spiritual advisers. We are capable of handling our affairs without interference from outsiders. They have set themselves up in business in a big way. They operate bingo and euchre games of chance, these games are in the category of gambling. This teaches our children to take chances, thereby become gamblers. They also operate a movie house, dance hall and pool room. They no longer preach in our native tongue, but insist in preaching in French and English only. This Act threatens the extinction of our beloved language, which the people will not tolerate for long.

The control of band funds by the Indian department is a gross injustice, because the owners of these funds are starving with the very little they get for relief.

Therefore we the Indians of the Six Nations cannot rest as long as the common laws overrule the laws of principality.

In treating with France in 1803 for Louisiana the United States recognized the local sovereignty of the occupant Indian tribes for it itself to respect their outstanding treaties which had been concluded with Spain.

The Supreme Court said that those treaties were inviolable by congress (Mitchell V. U.S. 9, Peters 754).

In treating with Great Britain and United States has confessed that the Six Nations were independent.

The Treaty of Paris (Malloys Treaties, V.I.P. 580) by its silence (Alliance) ignored the existence here of red men.

The British Crown and the United States has ostensibly divided the earth here between themselves by a line following westward the 45th parallel to the St. Lawrence river, which it strikes at the point of Cornwall Island running thence up the waters of the Great Lakes. When the Six Nations then, 1783, under cover of a British port at Niagara, and allies of the British wanted to know by what right Great Britain had assumed to consent to such a division as against them, they asked for the reasons, at the same time they expressed their astonishment that the Crown had presumed to cede their own home-land lying south of that boundary to the United States (Life Sir Frederick Haldimand in the Making of Canada V.3, P.256). The question was, of course, embarrassing to the British for it would have been impossible on any theory of the law of nations for Great Britain or the United States or both to establish a prerogative in themselves for drawing a line through the domain of the Caughnawaga St. Regis Tribe (Mohawks) through the St. Lawrence and this line passed and crossed, which line the members of that tribe would not be entitled to pass with the same freedom as before a white man set foot on the land we call (America). That truth was confessed, painfully perhaps, to the white man by both parties when in 1794 the Jay Treaty of Amity (Malloy p. 590) was negotiated wherein by Article III the rights of the native Americans was recognized. Moreover, the language used there treated these tribes as being outside the circle of British subjects as well as outside United States citizenship and sovereignty. This article recognized that these people were entitled to pass and repass over the line by land or by water, and for commerce and intercourse between themselves. To make the admission still stronger that article was amplified by amendment of 1796 (Malloy P.607) it provides that no treaty made or to be made by either party with any other nation, or with any Indian tribe should be construed to deny the tribal rights. This recognized no act of Great Britain or the United States could have more solemnly recognized the outstanding rights of native American tribes to political independence, and while not mentioned by name therein.

It was the situation of the Six Nations which provoked congress, because their domain bordered the Great Lakes, and because no white man had, up to that time, ever prevented them from crossing those waters at will, and up to that time no white man had ever dared to try.

The Jay Treaty stands to-day with all the force it had when ratified as the most solemn, confessed by the United States of the right of the Six Nations to exist independently of the will of the congress of the United States, and of the imperial parliament of Great Britain.

Signed by—We, the Council of Caughnawaga, members of the Six Nations Confederacy.



## Life Chiefs:

EDWARD D. LALONDE

JOSEPH DIABO

JOE MARTIN

FRANK T. DIABO

his

SILAS X SQUARE

mark

his

TOM W. X DIABO

mark

MIKE MONTOUR

THOMAS SKY

FRANK CROSS

JIM DEER

LAWRENCE HILL

LOUIS CANADIAN

MOSES DIABO, JR.

his

ANGUS X BURDEAU

mark

his

JOHN K. X WOODLAND

mark

THOS. H. MORRIS

JOE. CANADIAN

C. ALBANY

The CHAIRMAN: Thank you very much Mr. Lazare. Now ladies and gentlemen, is it your wish to examine this witness or shall we proceed with the other members? There are two other official delegates.

Mr. CASE: Mr. Chairman, I would like to make an observation here.

We have listened to an extensive brief presented by a gentleman who is talented to say the least. He must have gained the benefit of a substantial education somewhere. I submit, Mr. Chairman, this is not a brief; rather it is an ultimatum. There is no common ground on which we can negotiate at this time. They demand certain things, to do away with the Indian Act for instance, but we are here to revise the Indian Act and it would seem to me this is a matter that should be referred to the Secretary of State. If you read the brief through there is no common ground and no approach upon which to negotiate. It is a complete demand that the Indian Act be abolished; what they have in mind to take the place of the Indian Act other than treaties I do not know.

So, Mr. Chairman, I submit there is nothing on which we can deal with this brief and I say again it is not a brief but an ultimatum.

The CHAIRMAN: Mr. MacNicol, were you going to suggest something?

Mr. MACNICOL: I would suggest we go ahead with the other briefs.

Mr. CASTLEDEN: It seems to me these gentlemen have presented a case and, if there is no ground on which they can agree to amendment of the Act, perhaps this committee might do something towards finding a ground on which we could meet. Perhaps a little questioning might help us to come to some common ground.

For instance we know that parts of the Six Nations Indians live in the United States. Perhaps in the United States they have found some ground upon which they can deal with the congress of that country. They may have found some way of coming to agreement with the American authorities. Perhaps there will also be some way of finding a solution to this problem and I think that avenue could be explored for a little while.

Mr. RICHARD: Mr. Chairman, there is so much in the brief that we have heard to-day that I believe the members of the committee might get some explanation and would be in a better position to question each delegation if we heard the other briefs. Now with respect to the reference to the Secretary of State by Mr. Case, I quite agree with him that this brief is sort of an ultimatum. As a matter of fact I am rather surprised at a lot of things in the brief and the attitude taken, but I do not know whether reference to the Secretary of State would help matters at all. I think probably if we heard all sides first one would throw light on the other and then we would be in a better position to put questions. Personally I think this has just been an illustration of one side; this brief represents just one element on one reserve. There are other delegates and



whether they are of the same tribes we do not know, so I think we should first hear all the delegations from Quebec because we are dealing with one total province now. I am sure it might avoid asking questions which would be required if we only heard one at a time.

The WITNESS: May I add a few words. We are here representing all of the Six Nations Indians of Canada. That is the reason why the grand council have sent two representatives here with us to-day. It is with the authority of the Six Nations of Canada that we present this brief. We represent the band council and the hereditary chiefs of Caughnawaga, being ninety-eight per cent of our people at Caughnawaga. The remainder is only a very small group of traitors among us.

Mr. CASE: What is the population?

The WITNESS: Approximately 3,000.

The CHAIRMAN: Well I have found, with the confederacy of Six Nations at Brantford, that we can discuss matters with them and they are open to reason and open to suggestion. I think what they are trying to do is to benefit themselves and to raise the standard of Indians. Once we get discussing it probably we can come to some mutual arrangements and mutual grounds on which we can discuss the whole matter.

If it is agreeable I think we should hear the other briefs. We will call you gentlemen back later.

Now we will hear Chief Michel Penetouche. Have you something you would like to say, Chief?

### **Chief Michel Penetouche, Abitibi, called:**

*By the Chairman:*

Q. Do you speak French?—A. No.

Q. What tongue do you speak?—A. Just Indian.

Q. What tribe do you belong to?—A. Ojibway.

The CHAIRMAN: I wonder if Mr. Small Fence understands that language.

Mr. SMALL FENCE: No, sir, I do not understand him.

*By the Chairman:*

Q. Can you speak English?—A. Yes, a little.

Q. Is there something you would like to tell us?—A. I wish to say something.

Q. Yes?—A. Yes, I would.

Q. You talk to me so that the reporter can hear you. Where do you live?—

A. In Abitibi Agency—at Low Bush, Ontario.

*By Mr. Case:*

Q. Do you live on the reserve?—A. No, I do not live on the reserve. I live on the south side of Low Bush, Ontario.

Q. Were you elected by the Indians on the reserve to speak for them here? Did they ask you to come here?—A. Yes.

*By the Chairman:*

Q. What did they ask you to say?—A. They want a school.

Q. Is there no school there now?—A. No, sir. Only a boarding school.

Q. Is there a residential school? Who runs the school?—A. The Ontario government.

Q. Who operates the school?—A. Everyone of us pays taxes. Some Indian boys do not go to school, but they pay their taxes.

Q. How many children have you got there under 16 years of age?—  
A. Only a few, about ten, I guess. They are supposed to go to the school and sometimes they go trapping with their fathers and they come back in the springtime.

Q. Do you want a summer school?—A. Yes.

Hon. Mrs. FALLIS: Do white children go to that school too?

The WITNESS: Yes, my boy—the other Indians do not go to the school.

Mr. RAYMOND: Mr. Chairman, this witness is living in the province of Ontario. I understood that the delegations here are from the province of Quebec; so I should like to know what territory this witness is representing in the province of Quebec.

*By the Chairman:*

Q. Do you not live in the province of Quebec?—A. No. I belong to the Ontario South Bay reserve.

Q. And you live at Low Bush. How far is that from the Quebec border?—  
A. Forty-two miles on the Ontario side.

Q. Were you appointed by the Indians of Quebec to come here?—A. Do you mean the Quebec Indians?

Q. Yes.—A. Oh, no.

Q. Who told you to come here?—A. The Indian agent.

Q. Mr. Larivière?—A. Yes, Mr. Larivière.

Q. Where does he live?—A. He lives in Amos, Quebec.

Q. And he asked you to come here. Do you belong to Mr. Larivière's agency?—A. Yes, he looks after our side and the Quebec side.

Q. So you have been sent here by the Indian agent at Amos, Quebec?—  
A. Yes.

Q. I would assume that you are representing—you are talking for—

Mr. RICHARD: Mr. Chairman, let us get the picture—

The CHAIRMAN: Let me get this additional information.

Mr. RICHARD: I want to speak.

The CHAIRMAN: I have the floor.

Mr. RICHARD: No, I had the floor.

The CHAIRMAN: I was in the middle of a question that I am asking this witness.

Mr. RICHARD: I appeal to this committee.

The CHAIRMAN: I do not want to be unreasonable.

Mr. RICHARD: Well, you are.

The CHAIRMAN: I do not think so.

Mr. RICHARD: Have I got the floor?

The CHAIRMAN: No, I am sorry, because I was asking a question. Now, chief, are you listening to me?

The WITNESS: Yes.

*By the Chairman:*

Q. You are talking for the Indians of the Ojibway reserve, is that right?—  
A. The Indian agent looks after the kids, too, and after the treaty money.

Mr. RICHARD: It seems to me, Mr. Chairman, that we should have the right to ask questions. Am I wrong in that?

The CHAIRMAN: We are not trying to stop anyone from asking questions.

Mr. RICHARD: Well, you are. I am sorry to say I came to your defence several times in this committee because some members objected to this, but now I believe you are going too far.

The CHAIRMAN: Now, the practice in this committee has been that the witnesses will be permitted to present their briefs without questioning. I think each member of the committee has been given a fair opportunity to ask questions.

Mr. RICHARD: You have been asking questions for the last ten minutes, and we have not had a word to say. We have certain rights here and I believe other members would like to ask questions. I am sorry to make this scene, but I have certain rights which I must have respected. Now, my suggestion is this, and I hope other members of the committee will agree with me: this man has no prepared brief and speaks only in English and not very fluently in that language, he will admit that himself; therefore I think if we had a picture of the tribe he represents, how it is constituted, the set-up and so on from Mr. Hoey then, probably, we will see what their grievances are and we will have a better understanding of this matter. This man lives in Ontario. He has been sent here by the Indian agent who lives in the province of Quebec to represent views of Indians who live in the province of Quebec. We do not know how it is that he is here. It seems to me that some official of the department who understands the whole picture will be able to explain this matter and then we will be able to make some progress. If I am wrong, will some member of the committee set me right?

Mr. BLACKMORE: Mr. Chairman, you are the chairman of this committee and you are now endeavouring to get a picture of the situation, and in my opinion you are quite in order in trying to get this picture so that this man can be understood as he proceeds. I submit that you are entirely in order. If a member wants to speak—and everyone has a right to speak—he should obtain that right directly from the chair.

The CHAIRMAN: What I am concerned with is to get a basis for this evidence to ascertain from this gentleman whom he represents and what he represents and why he has been sent here. Obviously, he has no brief. Apparently all he wants is a school. It may be, as Mr. Richard suggests, that Mr. Hoey might have something to add.

Mr. HOEY: Mr. Chairman, I have not very much to say with regard to this matter. We have an Indian agency at Amos, Quebec, with an Indian agent, Mr. Lariviere, in charge. Mr. Lariviere is at present attending a conference of Indian agents in Quebec City and he will be here to-morrow. Evidently, Mr. Larivière selected this man as an Indian who could speak to the committee with regard to the needs of this particular agency. However, the committee are apt to be misled because of the fact that this man, although in the Abitibi agency, lives at Low Bush, which is forty miles from the Quebec border in the province of Ontario. However, I suggest to you that time might be saved if we put off the questioning of this man until the agent gets here tomorrow morning and proceed with other briefs; because I do not know of any man, other than the agent, who can explain the local conditions there. This is the agency in which the huge fur conservation program is proceeding to which Mr. Conn referred in his evidence, and there is an urgent need for schools up there. Apart from that, I cannot tell what other needs they may wish to bring to your attention. I suggest, in fairness to this gentleman who has travelled a long way to appear before this committee, that we hear him when the agent is present, who can no doubt question him.

The CHAIRMAN: Probably I should read to you a letter from the Indian agent addressed to the Indians of the Abitibi Indian band and which is dated May 31, 1947. The letter reads as follows:—



## DEPARTMENT OF MINES AND RESOURCES

## INDIAN AFFAIRS BRANCH

Office of the  
Indian Agent,  
Amos, Que.

31st May, 1947.

To the Indians of Abitibi Indian Band, living on boundary of Quebec and Ontario, called "Ontario Abitibi Band," Abitibi Indian Agency.

DEAR SIRs,—Further to a request of the "Joint Committee of the Senate and the House of Commons," appointed to examine and consider the Indian Act, it was necessary for me to demand that Indian Michel Penetouche, who can speak English, visit the Agency; he was given full explanations on matters to be dealt with. See copy attached.

Considering the demand and that (Chief) Indian Michel Penetouche has not seen all of you, it will be possible for the Band to send a delegate at their expense to appear before the "Committee," subject to their acceptance as regards hearing him in this case. If your decision is that you desire to be represented, it will be necessary to proceed as follows:—

1. Arrange to take the train from Low Bush on the 10th of June, 1947.
2. On June 11, 1947, you will be in Ottawa; on arrival suggest that you take a taxi, call at the "Indian Affairs" Headquarters, Booth Building, 165 Sparks St. I believe you should ask for Mr. MacInnes, inform him you are the delegate from "Low Bush." He will further inform you.

Yours very truly,

(Sgd.) H. LARIVIERE,  
*Indian Agent.*

Mr. RICHARD: Who sent that letter?

The CHAIRMAN: The Indian Agent sent that letter to the Indians in that area.

Mr. RICHARD: That makes clear why this witness is here this morning, when he lives in the province of Ontario. If that letter had been read before we would have had a proper introduction to the whole matter.

The CHAIRMAN: If we had a solution of the Indian Act before us we would not have this committee sitting.

Mr. MATTHEWS: We have had a little brush this morning and probably there is a little right on all sides, but I think we had better act on the suggestion made by Mr. Hoey, and it will save us a lot of time.

The CHAIRMAN: Is that agreed?

Agreed.

Mr. CASTLEDEN: With regard to that letter there, is there a second reference? Is there not some other matter referred to there?

The CHAIRMAN: There was just a copy of our order of reference; we do not need that. I will now call on Chief Paul Rock of Bersimis, Quebec.

**Chief Paul Rock, called:**

The CHAIRMAN: I believe that this gentleman speaks only French. Probably Mr. Raymond will kindly help us out with some translations.

Mr. RICHARD: Mr. Chairman, I wonder whether we could have a translation in English.

The CHAIRMAN: I suggest that we have the letter translated.

Mr. RAYMOND: This brief is written in French. I will translate it, if that is your wish.

The CHAIRMAN: Would it be agreeable to have the brief accepted and transcribed into the minutes of evidence in French (Appendix GA) and we will have a translation? Mr. Raymond, would you consent to reading this brief to us in English?

Mr. RAYMOND: I may have to go pretty slowly.

The CHAIRMAN: Who are these gentlemen before us and whom do they represent?

(The following examination of Chief Paul Rock is carried on in the French language and interpreted in English question and answer by Mr. Raymond, M.P.)

Q. Where do you come from?—A. Bersimis.

Q. Which reserve do you represent?—A. The Indian reserve at Bersimis.

Q. How many Indians are to be found at Bersimis Indian reserve?—

A. About 750.

Q. Where is Bersimis?—A. On the northern coast.

Q. Near what place?—A. It is in Saguenay county.

Mr. RAYMOND: It is about 100 miles to the east of the city of Chicoutimi.

The CHAIRMAN: Is it on the St. Lawrence river?

Mr. RAYMOND: Yes, on the north shore of the St. Lawrence river.

Mr. CASE: Is he the chief?

Mr. RAYMOND: Yes.

Mr. CASE: Is he the elected chief?

Mr. RAYMOND: The chiefs are elected every three years.

Mr. CASE: And was he appointed by the council to attend here?

Q. Have you been authorized by your council to come here?—A. Yes, I have been sent.

Q. And is this the brief of your band?—A. Yes.

Q. Have you had a meeting of the council which authorized that brief?—A. Yes.

The CHAIRMAN: Who is the gentleman with him?

Mr. RAYMOND: Malet Collard.

The CHAIRMAN: Does he speak French?

Mr. RAYMOND: A little.

The CHAIRMAN: What language does he speak?

Q. What language do you usually speak?—A. The Indian dialect.

The CHAIRMAN: Mr. Raymond, will you kindly interpret the brief into English for the committee?

(French brief will appear later as Appendix GA.)

Mr. RAYMOND (Reads): It is our desire that the rights granted to the Indians by treaties and all the obligations taken by the government on behalf of the Indians be respected and kept in force forever.

#### DAY SCHOOL AND RESIDENTIAL SCHOOL

The present system of education provided by the government and established by the Department of Indian Affairs gives satisfaction to us in a general manner and we wish that there be no change to what exists at the present time; but this system while giving us satisfaction could be improved by the building of new schools on the reserve where such schools are lacking; and where there

are schools established at the present time they should be well kept and maintained. In our district on the north shore of the St. Lawrence river there exists a day school at Bersimis. This school is in need of serious repair. We are happy to have at the present time at least this school and we would like to have more schools. We request that schools be kept by the nuns and in the most convenient places, and we join with our brother Indians on the north shore of the river—and there are many of them—to request that there be day schools for each group of Indians. We are 2,000 Indians on that shore along the St. Lawrence river and there exists at the present time only one convent school, to wit at Escoumains. If we request a residential school for Bersimis we do not wish to say that we are the only groups in that district that need to have a school. On the contrary, we believe the others have as much right as we have and we join with them in a request for residential schools and day schools, and that they be established and built for all the groups according to their needs and their wishes.

### HOSPITALS

We request that members of the committee appointed to revise the Indian Act consider very seriously the question of hospitals for Indians. At the present time the department send the sick Indians to hospitals far from the reserve where most times their parents cannot visit them on account of the distance and the difficulty, and we are very often not understood when we speak. We are completely opposed to this situation that exists at the present time. Most of the white people have hospitals in their own cities where they are as a consequence also in a position to visit their sick. We do not see why we do not have the same facility and the same privilege to have a hospital on or near our own reserve and a hospital which will be large enough to receive all those hospitalized for ordinary ailments. In doing so we would be able to visit them quite easily. As to the others who would be in need of surgery, we admit it must be possible to send them to other organized hospitals, hospitals especially organized for the purpose. But as regards this last mentioned point, we would like to have hospitals on our own reserve or, at least, near our reserve. At the present time at Bersimis we have begun the building of a dispensary of small proportions where there will be space for only three or four persons at the most. We have not requested this dispensary, and we do not want this dispensary to go ahead because it does not give satisfaction. What we wish to have and what we request is a complete hospital and a larger hospital in order that all the ordinary illnesses and sicknesses may be treated. We also request that this hospital be organized like a hospital for the white people and that to this hospital that we have requested there be annexed a home for our old persons who need help at the present time. Many of our old people are in great need, and notwithstanding the help they receive from the department they are in a miserable condition. We wish the department would remedy such a condition. As with the residential school we wish that this hospital and this home for the aged be entrusted to the nuns, because we believe we have the right to the type of hospital that we believe is the best for us, and it is the duty of the government to leave us complete liberty and freedom in that matter.

### HOUSING

As the war is over, we would like the government to help the Indians more in the building of good homes and in the maintenance of those homes in need of repair. We do not mean that the government should do everything, but at least it should do its part.



## THE ACCEPTANCE OF A PERSON AS A MEMBER OF A TRIBE OR RESERVE

We believe that all Indian reserves should have the right to accept all persons and all children having Indian blood as members of their reserve upon a favourable vote of the majority of the tribe.

## PAYMENT OF TAXES BY THE INDIANS

Until now the Indians have been exempted from paying taxes on real estate situated within the limits of the reserves, and we do believe that the Indians should be exempted from paying ordinary taxes, meaning the taxes which are paid by Canadian citizens, except those levied or imposed by the government on property or real estate situated outside of the limits of the reserve.

## VOLUNTARY OR INVOLUNTARY ENFRANCHISEMENT OF THE INDIAN

We are of the opinion that no Indian should be considered as white with the same rights and obligations unless he demands them freely and voluntarily, and he should never be forced by the government in any way whatsoever to exercise the right to vote at the federal elections. We do not want to vote at these elections, and if the right is granted to us we will take it only on the condition that we will not lose any of the privileges or rights that we have at the present time.

## THE POSITION OF WHITES ON THE RESERVE

We are of the opinion that the Indian reserves are strictly the property of the Indian tribes and that no white people should be tolerated on those reserves. The Department of Indian Affairs should right now ask the white people on the reserves to leave. Only the necessary stores or merchants, and those accepted by the tribe, should stay there, until the Indians organize their own stores.

## CUTTING WOOD ON THE RESERVE

We request the Department of Indian Affairs to establish and to make a rule in order that the Indians will have first right to be employed in the cutting of timber on their reserves. There is a rumour current that the timber limits on the reserve may be sold to the Donnacona company or to others.

It is also rumoured that the new company intends to establish a paper mill or other similar mill on our reserve and this is without any consultation with us. We are opposed very strongly to this occurring on our reserve and we do not wish the Department of Indian Affairs or any Crown company or any others to have the right to dispose of timber on our reserve without our consent.

## OLD AGE PENSION

At the present time the old Indians who are unable to work receive only \$8 each per month to live on as well as for food and clothing. Only two years ago they were receiving about \$4 each. The situation has been improved a little but there should be progress in that demand and they request that the old persons receive the old age pension just as the white people do.

We trust and we have confidence that the members of this committee will study with kindness the requests of the Indians made to this committee and that they will grant the requests in so far as it is for the general welfare of the Indians according to their needs and according to their rights.

Mr. HOEY: Mr. Raymond, there is one point I would like to clear up if I may? Did you say that they had a residential school?

Mr. RAYMOND: Yes.

Mr. HOEY: There is no residential school there.

Mr. RAYMOND: The witness says you are right, it is only a day school but it is described here as a residential school. The witness says however it is a day school, and I will amend the brief and my translation accordingly.

The CHAIRMAN: Is there something more you want to put before the committee, Chief?

The WITNESS (Interpreter): Yes sir, it will not take long.

The CHAIRMAN: Will the witness be able to finish by one o'clock?

Mr. RAYMOND: It is very short, he says it will only take two or three minutes. It is about the old age pension.

The WITNESS: At home, in our Bersimis reserve the old people receive only \$8 per head for one month. I would ask the committee to request the Department of Indian Affairs if there would not be any possibility of giving a little more than \$8 a month because it is not enough. Other people on the reserve have to help the old people, and cripples, with money and food and other things. One person will give bread and another will give other things to help them to the end of the month. We would be very pleased if it could be arranged to help these old people because you know as well as we do that merchandise and other things cost very much during the present years.

Mr. CASE: Mr. Chairman, might I interrupt? Does this witness know that the committee has already recommended that the old age pension be granted?

The WITNESS: Until this request of ours becomes law I make the special request for my reserve.

The CHAIRMAN: Mr. Raymond, would you point out to him the difficulty in providing the old age pension in view of the fact that the federal government makes a contribution and the provincial government makes a contribution.

The WITNESS: But, Mr. Chairman until this law comes into force we make the special request of Mr. Hoey and the Indian Affairs Branch to increase this amount of \$8.

Mr. CASE: I think, Mr. Chairman, we expect the department to contribute only the dominion government's share.

Mr. BRYCE: Might I ask if this \$8 is given to them in cash or in kind?

The WITNESS: In provisions.

Mr. RICHARD: Is the \$8 to apply regardless of age because the old age pension, if it is only for those over seventy, will not help those below seventy.

The WITNESS: No, it does not mean only those over seventy years of age.

Mr. CASE: In other words it is relief.

The WITNESS: It is pitiful at times to see the people there with no food for ten or fifteen days eating only bread and lard.

Mr. CASE: Have they no band funds?

The WITNESS: Yes.

Mr. RAYMOND: How much?

The WITNESS: \$160,000.

Mr. CASE: Can they not apply their band funds to feed the needy?

The WITNESS: When they have money in the bank they do not want to spend it.

The CHAIRMAN: Mr. Raymond, I think we had better let the witness complete his presentation before one o'clock.

The WITNESS: We ask if this relief cannot be taken outside of the funds?

Mr. RAYMOND: For what purpose do you use your reserve funds?

The WITNESS: For the future, for our children and our grandchildren.

Mr. BRYCE: Do you not think your starving people should be looked after?

The WITNESS: Yes.

Mr. BRYCE: These old people have sold part of the reserve to get that money and they are entitled to the interest on it to protect them, are they not?

The WITNESS: Yes.

Mr. RAYMOND: I just made a little speech to him in French. I told him that they should not forget the old people and the cripples and that although they are from the past, they have helped to build the reserve and they are entitled to receive support from the reserve funds. The witness says yes, that he understands that, and I told him that if the band was prepared to help, the Indian Affairs Branch might be inclined to further increase this \$8.

The CHAIRMAN: Now gentlemen, it is one o'clock.

The WITNESS: I thank you Mr. Chairman for allowing our presentation.

The CHAIRMAN: Mr. Raymond, on behalf of this committee I want to express to you our appreciation for your help as translator.

It is one o'clock, however, and before I close I would ask the delegation from Caughnawaga to be back here at 3.30 p.m. in their ceremonial dress. Some photographers would like to take some pictures. Everyone else should be here promptly at 4.00 p.m. and again I repeat those in ceremonial dress should be here at 3.30 p.m.

The meeting adjourned at 1.00 p.m. to meet again this afternoon at 4.00 p.m.

### AFTERNOON SESSION

The committee resumed at 4.00 p.m.

The CHAIRMAN: Will you come to order please. We will proceed with the presentation of the briefs and we have another group from Caughnawaga. If that group will come forward now we can give them a few minutes. The group consists of Mr. L. E. Beauvais, Mr. Joseph Delisle, Jr., and Mr. F. McDonald Jacobs. Will you come up to this table gentlemen, please?

#### Mr. L. E. Beauvais, called:

*By the Chairman:*

Q. Now, Mr. Beauvais I believe you are a resident of Caughnawaga?—  
A. That is right, sir.

Q. And you do not hold office in the council?—A. That is right, I do not now hold office.

Q. You are one of the members of the North American Brotherhood?—  
A. Yes, but not in this case. The brief is not presented by the North American Brotherhood.

Q. No, but I am just getting at the fact that you are a member of the North American Brotherhood as is Mr. Delisle? Is that correct, Mr. Delisle?

Mr. DELISLE: Yes sir, I am a member of that Brotherhood.

The CHAIRMAN: And Mr. Jacobs, are you a member of the North American Brotherhood?

Mr. JACOBS: Yes, I am a member.



*By the Chairman:*

Q. I notice the brief you have submitted here is similar to that submitted by Mr. Paull of the North American Brotherhood and which is printed in our 1946 minutes at page 829, our Appendix AD. Are there only two copies of it?—A. I could let you have this one here.

Q. Well, a great deal of this brief was incorporated in the one signed by Mr. Andrew Paull. Most of this material which you have here, with the exception of the introductory part, has already been submitted by the North American Brotherhood. Who prepared your brief for you?—A. I do not believe it is the same. I do not believe you have all our arguments on taxation.

Q. You are presenting a brief of thirty-five pages and it would be impossible to hear all that this afternoon, especially when it seems to be a repetition. Would you like to submit this brief and have it incorporated in our minutes of evidence, as an appendix (GB)?—A. I think it would be the only logical thing to do to save time.

MR. CASE: Mr. Chairman, you asked a question which I think is important but no answer was given. You asked the witness who prepared the brief. You say we have had it submitted to us before.

*By the Chairman:*

Q. This particular brief was not submitted before but it contains material already on our record. Who prepared your brief?—A. We had a meeting in Caughnawaga.

Q. What kind of a meeting?—A. A band meeting. There were members of the briefing committee selected.

Q. You are not members of the elected council?—A. That is right, but this brief is as the result of a band meeting in Caughnawaga.

Q. Did the elective council call a band meeting?—A. No, it was called by the people.

Q. Who called it?—A. I will tell you exactly how it came about. Your joint committee themselves, at one of their sessions, recommended that the Indians of Quebec and the other different provinces get together and get organized. It was because of that suggestion that we started the organization and recommended that there should be a brief presented for Caughnawaga.

Q. What I am getting at is who called the meeting?—A. Well, we did.

Hon. Mr. TAYLOR: Who is we?

*By the Chairman:*

Q. I presume that you would be part of the "we"?—A. I am one of them.

Q. Who else was there?—A. Mr. Delisle and our pastor were interested because there was the question of the schools. Then we had Norman Saylor.

Q. Mr. Saylor the lawyer?—A. Yes, the counsel, and he is part of the committee.

Q. Yes.—A. And this brief has been prepared by the four us, Mr. Jacobs, Mr. Joe Delisle, myself, and Norman Saylor and we had the help of Father Lalonde.

MR. CASE: Who was it submitted to after that?—A. It was read to the band at another meeting for their approval.

*By the Chairman:*

Q. Who called that meeting of the band?—A. We did, after we prepared this brief.

Q. Did you do so with the advice or consent of the elected council?—A. No, I might take the opportunity at this point to let you know there are two factions in Caughnawaga and that we do not see eye to eye on all points. One of the points on which we do not agree is the elective council declaring war on the

government. We think we might get more by co-operating with the government and trying to make certain recommendations to make better laws for the Indians. This you will notice is covered by our brief.

The CHAIRMAN: I do not think we need to be afraid of these fellows here to-day. I am not afraid of them.

Mr. CASE: Don't be too sure, wait till they get you down on the reserve.

The CHAIRMAN: I am going to go down there one of these days.

The WITNESS: That is how our brief came about. We expected to have a joint brief with the Indians of Lorette, Pierreville, St. Regis, Maniwaki and so on, but apparently some of those people did not have meetings called at all.

Mr. CASE: Would it be fair to say then, Mr. Chairman, these people are speaking for a minority group.

The WITNESS: I would say it was a majority.

The CHAIRMAN: I would go so far as to say they do not represent the elected council.

*By Mr. Case:*

Q. The elected council is elected by a vote or ballot?—A. Yes, that is right.

Q. And they would represent the majority?—A. It happens the present elected council were all voted for by only twenty-four men. On our reserve we are tradesmen and structural steelworkers who leave the reserve ten months out of the year and in January when elections come about there are very few left on the reserve except some who are too old to go away for work. The working men do not come back from New York or Detroit for the purpose of casting a vote so we have a very few Indians left on our reserve when the elections come around. Out of 3,000 male members I do not believe in the last few years there have been more than 300 votes cast. I think that would be exceeding the number by quite a bit, so that they do not represent a majority of the male members of twenty-one or over.

The CHAIRMAN: You think there is a certain amount of apathy among the electors there as well?

The WITNESS: Yes, I think we can safely say there should be 750 voters out of 3,000.

Mr. CASE: Mr. Chairman, if I might say, this situation was not canvassed this morning and I think it is only fair that some representative of the elected council should give their version of whether they are really representative or not.

Mr. FARQUHAR: Why does it matter if they are representative or not? Why does it matter if they differ? The briefs that we have had presented here have been from all parts of Canada and they differ greatly. If these people do differ in their view why not hear them anyhow?

The CHAIRMAN: It was not a matter of differing, we are going to hear them, but they have got a brief of thirty-five pages and we cannot go through with it in the time allotted. Besides there, we have Father Lalonde, the delegates from Oka, Pierreville, St. Regis, Abitibi and we must conclude our hearings by to-morrow at one o'clock.

Mr. FARQUHAR: Why not just file it on the record?

The CHAIRMAN: Yes, we shall.

Mr. RICHARD: Is there not a copy for each member here?

The CHAIRMAN: No, there is not a copy for each member. That is why we are putting it on the record. They submitted one copy to the chairman and they have just now given one to the reporter and that is all they have.

Mr. RICHARD: In that case, if it is too lengthy to read, could their spokesman take the brief and shorten it still further, giving us an outline?

The CHAIRMAN: I was going to suggest that there is one part on education that they might well read.

Mr. RICHARD: They could give an outline of the brief.

Mr. CASE: Yes, I think it could be condensed.

The WITNESS: Mr. Jacobs will read the part on education.

The CHAIRMAN: How long do you think it will take so that we can govern ourselves accordingly?

Mr. BRYCE: Let him just read from the index.

Mr. CASE: Let him comment on the index.

The CHAIRMAN: Is that agreeable?

Hon. Mrs. FALLIS: Mr. Chairman, If I might ask a question before he begins, could we have the points on which they differ from the others. If the spokesman would emphasize those points on which they differ from the other representatives it would be helpful.

The CHAIRMAN: Suppose we print the whole brief as an appendix to the record and go through the index and if there are any things we think should be commented upon they may go in the minutes of evidence. For example, here is a section entitled "miscellaneous."

(Brief appears as Appendix GB to this report.)

The WITNESS: I do not think you should put the "miscellaneous" on the record when you do not know with what it deals.

The CHAIRMAN: Well I could give you "miscellaneous" in about two seconds.

During the presentation of this brief, one or two of the undersigned will orally present views on the following questions if possible and if time is available:—

1. Half-fare railway privileges for Indians;
2. Identification cards for the Indians of Canada;
3. Association of Indian guides for the protection of game and forests.
4. Fire protection on reserves.

That is the end of it.

The WITNESS: Those are the points we figured on discussing orally.

The CHAIRMAN: Then could we not go through this brief and much of it could be condensed by the speaker? If it is to be elaborated upon when the time comes for questioning he can answer on those points and elaborate.

Mr. CASE: We cannot ask questions if you have not got a copy of the brief and I say let him comment on the points now.

The CHAIRMAN: Gentlemen, here is what I am trying to point out. We can do one of two things. We can have Mr. Beauvais read the whole brief or he can read parts of the brief. I have read what he has got here under "miscellaneous".

Mr. CASE: I am not suggesting he should read the whole thing but just part of the brief and he should comment on it.

The CHAIRMAN: If he is going to elaborate on it we might just as well start questioning.

Mr. CASE: But we cannot question until we know what his comments are.

The CHAIRMAN: You know exactly what the brief contains under the part headed "miscellaneous" because I have read it to you. If you want him to comment on it that is just enlarging on what is in the brief. If he is going to elaborate it is going to take a lot more time than if he is going to condense it.



Hon. Mrs. FALLIS: Why not leave it to the spokesman to give us the most important parts.

The CHAIRMAN: What time would you like to allot to him?

Mr. CASE: Half an hour.

The CHAIRMAN: Well shall we give him until a quarter to five?

Now Mr. Beauvais, we want you to comment on your brief. We have passed the introductory part; what do you want to say about "miscellaneous".

The WITNESS: There is one point there. You will notice that we mention an association of Indian guides for the protection of game and forests. This is a little thing that has been in my mind for some time. I have been doing quite a lot of guiding and I have been amongst some of the Indians in Manuan and Mistassini and various points and there is something there which I think should be looked into. White trappers and white people go in hunting and getting furs in the fall. They are even using 'planes now to get back into the interior. What happens is that they finally get right into an Indian's territory. The Indian has been hunting there for years and his father has been hunting there before him. The white men even bring dogs into the bush. I know of one party who brought in seven dogs and I do not know if you gentlemen know how many moose it takes to feed seven dogs for a month. I can tell you that it takes more than one. What happens when the Indian finds these fellows encroaching on his hunting and trapping grounds is that he gets hold of the Indian agent and makes a complaint. Then the Indian agent makes a complaint to Ottawa and finally the Mounted Police are sent out and they get in touch with the game warden of the province and finally they go into this place, they perhaps had to charter an aeroplane to get in, but by that time the white man is gone with all the furs leaving nothing. He has cleaned out everything. That is one thing the Indian trappers are careful of; they always try to leave a few pair of beaver and so on, so there will be more next year. It is only the white trappers who are just doing this as a sideline. Their object is to go in and clean up, and make as much money as they can, and make it fast. I would like to make this suggestion that there be created some kind of a guides' association wherein the government concerned would ensure that the guides be made game wardens and also forest rangers. Then instead of having one or two forest rangers in the bush you would have many. They would be protecting the forests and protecting the game. If a game warden could make an arrest immediately and bring up a man and make him pay a fine it would make a difference. Another point is that the Indians are not voters and you would not have the case where very often a game warden may arrest a man and he runs to his local member and a deputy minister gives an order saying "hands off".

Mr. MATTHEWS: Would you just repeat that please, I did not get the point.

The WITNESS: I was speaking of a case where a man runs to his member and that member does some corresponding and the case has to be dropped.

The CHAIRMAN: Are you talking about federal members?

Mr. RAYMOND: No, he would be talking about provincial members because it is within the province.

The CHAIRMAN: It would be under provincial law.

The WITNESS: I think if they made the guides forest rangers and game wardens and gave them half of the money received from fines it would do a good deal to protect the game and furs.

Mr. CASE: If the Indians were made game wardens?

The WITNESS: Yes.

Mr. FARQUHAR: Perhaps there would be quite a few more letters written even at that.

Mr. CASE: It is a good point.

The WITNESS: I think it would help to preserve the game if we could get the thing attended to right away. For instance I know there is a lot of hunting of moose with jack-lights, those are spot-lights. That is one of the infractions of the hunting laws which occurs quite a lot. Now if there was a guide or a game warden who had some kind of a licence, and I do not mean to tax him to have it, but there would be some kind of protection whereby if he was caught breaking these laws after getting a warning he would be automatically expelled from the association. Another good point in the issuing of licences of some kind would be that the guide would be able to give better service. In the province you find guides are working very few weeks of the year and they get paid on the average \$5 a day; that is not enough money. If we had such an association we could maybe teach guides to give better service and teach them a little more about the art of guiding so that sportsmen would use them and would be glad to pay a few dollars more for such efficient guides. Now, if a man did not kill a moose the first year, because he could not use any more jack-lights, he would come back the next year and we would get just that much more business. If we had some kind of a recommendation to the various provinces we might be able to get such an organization going which would be of advantage to the Indians and toward the protection of game and the forests.

The CHAIRMAN: You have another fifteen minutes.

The WITNESS: There is one more thing.

The CHAIRMAN: If I might interrupt at this time, do you want to spend all your time talking on this when there are other important subjects to be discussed? You see you have left only another fifteen minutes.

Mr. RAYMOND: Well, we have asked a few questions, Mr. Chairman; we could give him a little more time.

The CHAIRMAN: I want to be fair to the other delegations. Although this delegation is not an accredited delegation, we are glad to hear him and, although I did not wish to interrupt, I suggested that he might touch on other subjects.

The WITNESS: I would like to talk for a moment on fire protection on the reserve.

The CHAIRMAN: Is that in the brief?

The WITNESS: I have not got it in the brief; it was omitted. On our reserve we had a sad experience. A house burned down and there were a couple of children burned to death, and we attribute that to the lack of fire protection on the reserve. We have at present an arrangement whereby when there is a fire they phone the city of Lachine to get the fire-pumps sent to extinguish the fire. In most cases the fire-pumps arrive just in time to cool off the cinders. Now I think maybe the department could furnish us with a fire-pump and sufficient hose so that we would have one at all times on the reserve. The last fire we had in Caughnawaga, I understand, was the school, and they had to pay \$1,100 for a fire-pump to come and extinguish that one fire. Now you could buy a fire-pump, I am pretty sure, for much less than \$1,100. The War Assets Corporation, I understand, has quite a few that should be available. I think maybe you might suggest that one of those be transferred from one department to the other so that a few of the populous reserves could have them.

The CHAIRMAN: I hope you have more success than some members of parliament had in that regard.

The WITNESS: There is one more point. It had to do with the question of wood, and I do not know whether you gentlemen have been on our reserve, but fuel wood is disappearing fast. There are some old people who have to haul wood in the winter, and they are just merely getting switches. The sticks



are no bigger than two or three inches. We have a reserve called Doncaster up in the Laurentians, where we have sixty-four square miles. The reserve is eight miles by eight miles. There are about 1,000 cords of wood taken off that reserve every year for the advantage of the Oka Indians. The Oka Indians own one-third of the reserve and we own two-thirds. We would like the department to give some of our old people some of the wood off that reserve. It seems to me that they are taking 1,000 cords for Oka and they should be able to take at least a like amount for Caughnawaga. I do not think the privilege would be abused. I do not think everybody would want that wood, but certainly there are some of our old people there who would use it to quite an advantage.

Mr. CASE: Does the other reserve belong to you?

The WITNESS: Yes, we own two-thirds of this reserve and the Okas own one-third. The Okas cut all the wood and we never get a stick of it.

Mr. MATTHEWS: Is there some wood on your own reserve?

The WITNESS: Our reserve is depleted. We have no more wood except private plots of wood here and there.

The CHAIRMAN: Gentlemen, I have been pretty lenient so far on questions. The rule is you do not ask questions until the presentation is finished.

Mr. CASE: Mr. Chairman, if we cannot ask the witness questions to explain a point the whole business is no good. We are not questioning, we are only getting explanations.

The CHAIRMAN: The committee will set its own rules.

Mr. FARQUHAR: I suggest the witness be allowed to go on and that we should not take up his time.

The WITNESS: That completes the matter.

The CHAIRMAN: Would you like to make some comment on education?

The WITNESS: I would like Mr. F. McDonald Jacobs to read that part of the brief.

## **F. McDonald Jacobs, Caughnawaga, Quebec, called:**

The WITNESS:

### **(a) *Schools in Caughnawaga.***

At the present time, there are Catholic schools for Catholic children and Protestant schools for Protestant children. This system has been in existence and has been in operation for a considerable number of years. Almost 90 per cent of the total population of Caughnawaga Indians belong and adhere to the Catholic religion and, throughout a period of 280 years, have benefited from the guidance and supervision of the religious authorities as afforded under the present set-up of the provincial Department of Education of Quebec. It was in this same spirit also that, some 50 years ago, a separate school was erected for the Protestant minority. The development and progress of the Indians of Caughnawaga can be attributed in no small degree to the guidance and spiritual protection of the Reverend Fathers of the Society of Jesus and other missionaries.

From experience obtained throughout the passing of the years, the system has worked out admirably and it is the sincere hope and desire that no change or alteration should be introduced into the Indian Act which would do away with the system in operation. Consequently, the Indians of Caughnawaga wish to reiterate and confirm and adhere wholeheartedly to the representations and suggestions made by the Catholic hierarchy in their brief presented before the special joint committee on May 27, 1947, on the question of education and particularly



endorse the request as appears in the said brief at page 3, paragraph 2, which reads as follows:

We would not wish, therefore, any change in section 10, paragraph 2, of the Indian Act, which reads: such schools shall be the nearest available school of the kind and no Protestant child shall be assigned to a Roman Catholic school or a school conducted under Roman Catholic auspices and no Roman Catholic child shall be assigned to a Protestant school or a school conducted under Protestant auspices.

(b) *Higher Training and Education.*

We are aware that the government of Canada in close cooperation with the Indian Affairs Branch is earnestly endeavouring, with all the means at their disposal, to develop the well-known aptitudes of the Indians by introducing subjects and training which would be most beneficial to their intellectual and economic development. For this, we wish to express our sincere appreciation to all government officials for their fine efforts and accomplishments. However, if we may be permitted to suggest, we respectfully and strongly urge all those who have it in their power to safeguard our Christian heritage as well as improve ways and means of attaining higher education to do everything within their power and authority to expedite the reconstruction of our Roman Catholic senior school building, which was totally destroyed by fire on December 10, 1941, the reconstruction of which has been promised ever since but without any result. Under present conditions, it is practically impossible to hope for any success in the education of our people. We realize that wartime economy and other conditions brought by the last conflict have created a problem for the government, but we sincerely hope that our present class-room shortage will be remedied without undue delay, and that immediate consideration will be given to the reconstruction of our school.

(c) *Male Teachers for Higher Grades for Male Pupils.*

The teaching in our schools for boys and girls has been conducted by and under the supervision of the Reverend Sisters of Ste. Anne who are doing an admirable work and who have dedicated their lives to and given their talents for the education of our boys and girls. It is the sincere desire of the Indians of Caughnawaga to retain the Reverend Sisters to teach and instruct the children as admirable results have been achieved in the field of education.

However with regard to the education and teaching of male pupils in the higher grades of our Catholic schools, it is the unanimous wish and desire of our reserve to have older boys taught by male instructors and the suggestion is that such teaching be conducted by teaching Fathers or Brothers assisted, if need there be, by any capable and qualified men lay teachers.

(d) *Gratitude to the Indian Affairs Branch and Suggested Policy.*

A number of our boys and girls have distinguished themselves in higher education and have achieved a fair degree of success. Such higher education was made possible through the kind aid, assistance and encouragement of the Indian Affairs Branch without which aid and assistance the attainment achieved might not have been possible; and we wish to express our sincere appreciation and gratitude to the officials of the Branch who have helped those who worked and strived for higher education after leaving the schools in Caughnawaga. We trust and urge that the same policy be not only continued but, if possible, amplified in order to encourage our boys and girls to attend high schools, colleges and universities, by providing them with sufficient financial assistance.

The next is (c) but that does not come under education. That consists of minutes of a meeting held on May 26, 1947.

Mr. CASE: A meeting of the Caughnawaga band?

The CHAIRMAN: Is that education?

The WITNESS: No, it is on page 7.

Mr. CASE: Can you say how many were present at the meeting?

The WITNESS: I am sure that there were over 250 but it does not say so here.

Mr. RAYMOND: That is the band hall is it, where this meeting was held?

Mr. CASE: But who called the meeting?

The WITNESS: The people.

Mr. CASE: What people?

The WITNESS: The Indians of Caughnawaga.

The CHAIRMAN: But that was not called by the elected council?

Mr. RAYMOND: I believe that would amount to a question.

The CHAIRMAN: But is is a question which was asked by a member of the committee.

Mr. CASE: There is no reference in the minutes of that meeting to say how many were present and who wanted the meeting. Was it a representative meeting and who called the meeting?

Mr. FARQUHAR: He said there were about 250 there.

The CHAIRMAN: You don't know who called it?

The WITNESS: We got together for the simple reason that the rumour was going around that the elected council were for abandoning the Indian Act and that they were going to be a sovereign nation by themselves. We have got to defend our rights and that is one of the reasons we had called a meeting.

The CHAIRMAN: Well, proceed. Did you want to read the rest of these minutes or do you want to go on to some more important matters?

The WITNESS: We will go on to taxation.

The CHAIRMAN: Where is that?

The WITNESS: On page 24. "Liability of Indians to taxes".

The CHAIRMAN: May I just interrupt you. The time is approximately up and you have got twelve pages on taxation. Would you just like to make a comment and put this whole thing into the record.

Mr. BLACKMORE: Would it not be fair to let these gentlemen use their own discretion as to what part of this the committee ought to hear.

The CHAIRMAN: Well, the time is now up.

Mr. BLACKMORE: I submit, Mr. Chairman, these men have a perfect right to be here and as one of the members of the committee I would like to hear them. I would like to let them use their discretion and read the portions they consider important.

Mr. CASE: They are not accredited delegates.

Mr. BLACKMORE: How do we know that?

The CHAIRMAN: We have gone through this so often, Mr. Blackmore. You were not here earlier and I do not think you heard the evidence that has been given. We have this afternoon five more groups to be heard and we must be through by one o'clock to-morrow.

Mr. BLACKMORE: Are the other delegates accredited delegates?

The CHAIRMAN: No.

Mr. BLACKMORE: Is there no accredited delegation?

The CHAIRMAN: Yes, we have heard the accredited delegations and these are all voluntary.

Mr. RICHARD: Mr. Chairman, I would like to have an explanation of the words "accredited delegation"?

The CHAIRMAN: One that has been picked out by the committee to make representations.

Mr. RICHARD: Here is a delegation that claims they got together when they were instructed to organize and present a brief of some kind. They had 250 people at their meeting and they have submitted a brief and I believe we are sort of treating them as if, "we will hear you all right, but that is about as for as it goes". We are telling them every two or three minutes that they have to rush and skip along.

Mr. MATTHEWS: I suggest, Mr. Chairman, that if the witness had been using the time which has been used by members of this committee he would be through before this.

The CHAIRMAN: So far as I, as chairman, am concerned, I am going to do what the committee wants to do. It is your time. If you want to waste time this way it is quite all right with me. I can sit here just as long as you can. An accredited delegation is one that has been appointed and we have let it be known what day and hour that we would expect somebody from that group to appear. We let the Indians in Caughnawaga know and they have sent their accredited delegation and if these others want to make representations we are glad to hear them. We have to draw a line somewhere however. Ontario, Manitoba, Saskatchewan, Alberta and British Columbia all had accredited delegates and I mean by that, a certain number of delegates was allotted to each province which number (three) was set by this committee and we have to adhere to our rule quite strictly. Now these gentlemen are surplus apart from those who have been appointed to represent the Indians of Quebec.

Mr. CASE: It has already been agreed that we put the brief on the record.

The CHAIRMAN: Yes, we have already put the brief on the record (Appendix GB).

Mr. BEAUVAIS: I think it would be well if I let the members know that if we are here it is at the direct invitation of this committee. I received an invitation by letter notifying me if we wished to present a brief before the committee with the rest of the Quebec Indians we would be called to-day or to-morrow.

The CHAIRMAN: I will give you the letter which was forwarded to all groups of Indians in your province as well as in other provinces and which reads as follows:—

OTTAWA, Ontario,

May 29, 1947.

Dear Sir,—The subcommittee on agenda and procedure of the Indian Act Committee have considered hearing representatives from the Province of Quebec.

The representation of Quebec Indians has been settled by the selection of three Indians from various parts of the Province. These have been invited to attend in Ottawa on Thursday and Friday, June 12 and 13.

If, therefore, you would like to be present on the above dates, *at your own expense*, you will be given an opportunity to present a brief on one of those dates, namely, Thursday or Friday, 12th and 13th of June.

Please advise me at once if it is your intention to be present.

Yours truly,

T. L. McEVOY,  
Clerk of the Joint Committee  
on Indian Affairs.



Mr. BEAUVAIS: Have you had no answer from me? Would you like to see my copy?

The CHAIRMAN: We may have got an answer. I have no doubt we did. If you did send an answer no doubt we got it.

Mr. BEAUVAIS: I will read it if you want it.

The CHAIRMAN: I have no doubt about it. What we are trying to do is to be fair to all parties. We have all these people to be heard and we will sit until 11 o'clock to-night to do it.

Mr. BEAUVAIS: I understood you to say in this letter that we would be given a chance to present a brief and make certain representations and now when we come here we are told to sit down.

The CHAIRMAN: Not at all. We have given you one-half hour. You have your brief which we are going to print in our record. If everybody, apart from the accredited delegates were to come in with 35-page briefs and then submit to questions, we would be here till doomsday. Now, you are a sensible man and you know that we cannot do that.

Mr. BEAUVAIS: What might be interesting to know would be how you determined which are the representatives and which are the parties representing the majority. These fellows claim that they are the party who represent the majority of the band and we say that we are.

The CHAIRMAN: Well, Mr. Beauvais, all we can do is take the elected councils in the various reserves and look to them. We have to take advice, not only of the elected representatives, but we have to take the advice of members of the Indian Affairs Branch, and we have taken advice wherever we could get it—good advice; and in our wisdom—whether it was wisdom or not—we decided on certain representatives from Quebec. Apart from that we are now wasting a lot of time. If we have time to hear these gentlemen again we will call them back. Is that agreeable?

Mr. RAYMOND: No, it is not. They have been on the stand for only half an hour. I do not believe this is fair because they have not spoken for half an hour. We have interrupted them; and they would have had time to read the brief if we had listened to them.

The CHAIRMAN: Gentlemen, I am in your hands. We have from now until 6 o'clock.

Mr. RAYMOND: That is all right. Although it is not all right with me because I would like to suggest that we give them a few minutes more.

The CHAIRMAN: It is whatever the committee says.

Mr. CASTLEDEN: I second the motion to hear these representatives further.

Mr. CASE: Give them until 5 o'clock.

The CHAIRMAN: Is that agreeable? This is final. At 5 o'clock, gentlemen, you will terminate your brief.

Mr. BLACKMORE: And no interruptions.

Mr. RAYMOND: Do what you like.

The CHAIRMAN: It is quite agreeable to me.

The WITNESS: I have about ten pages to cover and it will take me about fifteen minutes.

The CHAIRMAN: You have only seven minutes left. How are you going to get fifteen minutes into that? At 5 o'clock you will please terminate.

Mr. BRYCE: Give them fifteen minutes more.

The CHAIRMAN: Very well, if you say fifteen minutes it means fifteen minutes. Make up your minds.

The WITNESS: I have quite a number of references from judges.

The CHAIRMAN: All of those will be put on the record.

Mr. CASE: Spend your time on making comments rather than reading.

The WITNESS: Section 102 of the Indian Act says:

102. No Indian or non-treaty Indian shall be liable to be taxed for any real or personal property, unless he holds, in his individual right, real estate under a lease or in fee simple, or personal property outside of the reserve or special reserve, in which case he shall be liable to be taxed for such real or personal property at the same rate as other persons in the locality in which it is situate.

The CHAIRMAN: That is section 102 of the Act.

The WITNESS: Yes, sir. Then section 105 of the Act states:

105. No one other than an Indian or non-treaty Indian shall take any security or otherwise obtain any lien or charge, whether by mortgage, judgment or otherwise, upon real or personal property of any Indian or non-treaty Indian, except on real or personal property subject to taxation under the last three preceding sections; provided that any person selling any article to an Indian or non-treaty Indian may take security on such article for any part of the price thereof which is unpaid.

That is a great question to-day. We claim that the Indian is working outside of a reserve. We have no factories, as you all know, in any reserve. We all have to go out to various places from coast to coast to work. We are going to argue on our own domicile. Our views are common in Caughnawaga. We go out fishing; we bring home the bacon. Why do we go out to work? Many of our people own personal property. Before they have an opportunity of touching that money the tax is deducted. That is one of the big points we wish to bring out.

Mr. RICHARD: That is for taxes?

The WITNESS: Income tax and succession duties. We have no banks on the reserve, but many of the Indians are thrifty enough to save money for their old age. Now, with regard to insurance, we have to pay the provincial government which has no control over Indians. They make laws and we are liable to obey them. We cannot draw any money from the bank after a death if the money has been deposited. We must pay all succession duties first. If we have any money deposited in the bank it is the same way; we have to get a clearance from the authorities of the province of Quebec or any other province. There are judgments to the effect that they have no right to do that; still they are doing that. If that section 102 were amended in such a way as to cover everything that an Indian domiciled on the reserve has, he should be exempt from all taxation. The taxation of Indians is possibly only a drop in the bucket for the government but it means a great deal to an Indian where his means are small. Certainly we are trying hard to imitate the white race to save for our old age, but what little we may have is taken away from us. I know of a case where a man had accumulated \$135,000 in cash. The province of Quebec took \$9,635 in succession duties. The heirs lost the \$9,635. No matter how little the policy owner has in insurance duty has got to be deducted, and that is the time that each and every one of us needs the money most. It costs a lot of money to die; it is cheaper to live. I fail to understand why the federal government, being the ones authorized to make laws for the Indians, should allow the provinces to come into this. We cannot move in any way, shape or form; if we make a purchase at 25 cents we have to pay two cents on it. Even on electricity we have to pay 8 per cent to the federal authority and 2 per cent to the provincial government. I believe that is exorbitant. We are not going outside of the reserve to be

enlightened; we have our houses now; but still the two governments take a big portion of our income for this tax.

I have an opinion of one of the most eminent lawyers, I believe, in Canada—the late Aime Geoffrion—and he claims that they cannot tax the Indian. Unfortunately, that lawyer is dead. We have also the opinion of Judge Marchand, judge of the Court of King's Bench, province of Quebec. It is on *situs* and domicile. Where a man is working outside. Take a case like the Toronto Trust vs. the King: they could not collect anything; they are not Indians, but based on that very word *situs*, all our families are residing in Caughnawaga. The men go out to work and earn good money, but they bring home only half of the kill. Some two years ago in this very city of Ottawa I was interviewing the Hon. Colin Gibson, then Minister of National Revenue, and the Hon. Douglas Abbott, the present Minister of Finance, and they promised they would look into that matter and even promised that section 102 might be amended, but they have never yet reached it. Now, as my time is so limited—

The CHAIRMAN: I am sorry, but it is now 5 o'clock.

The WITNESS: All right. I do not want to take any more of your valuable time; but there are so many things we could look into.

The CHAIRMAN: All of those things are in your brief, are they not?

The WITNESS: Yes.

The CHAIRMAN: Well, they will become part of the record and later on if we have an opportunity we will give you a hearing and probably members of the committee may want to submit questions to you.

The WITNESS: I shall be ready.

The CHAIRMAN: If that is agreeable to you we will proceed.

The WITNESS: That is agreeable to me.

The CHAIRMAN: Mr. George Cree of Oka, would you like to come up here, Mr. Cree?

### **George A. Cree, Lake of Two Mountains, Oka reserve, called:**

*By the Chairman:*

Q. Mr. Cree, you are representing the Oka reserve?—A. Yes, sir.

Q. You may remain seated if you like or you may stand up, just as you wish. Were you elected to come here by your council?—A. To tell the truth we have no council in Oka, we have no chiefs, just certain groups.

Mr. HOEY: They have no regular council at Oka as I understand it.

Mr. CASTLEDEN: Louder, please.

*By the Chairman:*

Q. They have no regular council at Oka. How were you appointed to come here for the purpose of giving evidence?—A. Because I wrote to the clerk, Mr. McEvoy. He told me he had written to the chief to come to Ottawa but the chief declined.

Q. And he has appointed you?—A. Yes, I went up last Sunday and it was decided that I should come in his place and I sent a telegram to that effect to your clerk.

Q. How many people reside at Oka?—A. Just approximately 400.

Q. Have you something you would like to present to this committee?—A. Yes, sir, I have a brief here. I wish to read this brief. At the time the Honourable Mr. Crerar came to our meeting in Carnegie Library, he told us to prepare a brief and I have one but I think he got that brief. I wish to read this brief however.



OKA, QUEBEC,

June 12, 1947.

Honourable Members of the Senate  
and Members of the House of Commons,  
Ottawa, Ontario.

GENTLEMEN:

*Lake of Two Mountains Oka Reserve.*

We hope that if and when you make a revision of the Indian Act it will be for our benefit. I would like if you would consider the following articles:—

1. Land for cultivation
2. Wood for fuel; also timber for building purposes
3. When revising Indian Act, I hope you will see that you insert that the Indian will not be called up for combatant duty outside of Canada
4. Old age pensions and also a widow's pensions; also for the disabled persons
5. Income tax abolition for Indians forced to live off the reserves to make a livelihood trusting that you will see we get back all the money we have had taken off our salaries
6. That each and every veteran be given the same amount: \$2,320, whether he builds a house or buys a farm or not. I think every Indian man who donned the King's uniform for active service should be given some recognition by the government.

Yours respectfully,

GEORGE A. CREE.

Then the next one is the one which we gave to the Honourable Mr. Crerar, but it is too long to read.

*By the Chairman:*

Q. Have you got a copy?—A. Yes, I have.

Q. Would you let us have it and we can probably incorporate that in the minutes of proceedings. Is that the brief you presented to Mr. Crerar?—A. Yes, that is the one.

Q. We will incorporate it in the minutes.—A. That was drafted in Oka, Quebec, on June 30, 1944.

(Brief appears as appendix GC to this report.)

Q. Now, Mr. Cree, I believe there are other delegates from Oka, are there not?—A. Yes, James Montour and Lewis Gabriel.

Q. Are you expressing the views they hold?—A. No, I do not. They did not tell me and I do not know anything about their views.

Q. Well, if you are through, would you just leave the chair for the time being and Mr. Montour will come up and Mr. Gabriel.

The CHAIRMAN: Which Gabriel are you, are you "B. Gabriel".

Mr. GABRIEL: No, I am not. That is another Gabriel.

The CHAIRMAN: Is he related to you?

Mr. GABRIEL: He is a cousin.

The CHAIRMAN: Mr. B. Gabriel I understand could not come, he has written a letter saying that he could not come.

Now, Mr. Montour, do you belong to some organization?

Mr. MONTOUR: My understanding it is the Six Nations Confederacy.

The CHAIRMAN: Then we have heard from them, when the Six Nations reserve was here.

Mr. CASTLEDEN: But these gentlemen are from Oka.

The CHAIRMAN: It is all the same confederacy, it is the Six Nations confederacy.

Mr. CASTLEDEN: The others were from Brantford.

The CHAIRMAN: Well Mr. Montour, have you got something you would like to say or have you a brief.

### **James Montour called:**

*By the Chairman:*

Q. Would you read your brief please?—A. I will read it, or perhaps you would.

Q. I would be glad to read it for you. There seems to be two briefs here.

Mr. LICKERS: This one is in connection with the claim on Montreal Island.

The CHAIRMAN: There are two briefs. Would it be in order to file one of these and print it in full in to-day records of this committee (*see Appendix GD*) and then I will read this short one for you.

The purpose of our brief is to recover our reserve of Lake or Two Mountains accorded by His Majesty's Royal Proclamation of 1763.

Our reserve has been disturbed, and all sorts of illegal proceedings have taken place, happenings of all kinds befell the Indians so that the Indians did not progress. The law that was made for the inhabitant was pressed to the natives. The hunting grounds for the Indians were sold, and not by the Indians, but unknown to them the sales and losses of the Indians were all illegal and most unjust.

The case of the reserve of Lake of Two Mountains in 1910 passed through Montreal. The documents of said case were sent to England in 1912. Some were returned to Canada Privy Council of the dominion. The dominion was to settle said case for the Six Nations Indians of Lake of Two Mountains with justice. Therefore it is now the requirement of the Six Nations band to have the reserve redeemed according to the surveyance of His Majesty. Furthermore all destruction should be recompensed. Following the justification and settlement for the confederacy of the Six Nation to be in full justice, and the documents of the Six Nations of 1784 should be reinforced in full. It also means 1763 and 1766.

In 1913, the right of Six Nation of the reserve of Lake of Two Mountains was given in to the hands of Deputy superintendent Duncan C. Scott, through Mr. Rowell and Chief Angus Corenthé receiving same from England and it was the request of Chief Angus Corenthé to receive same but was not granted. So it went in the hands of Duncan C. Scott, Deputy Superintendent, and the benefit for the Six Nations was then lost thereon.

Since 1841 we have been slaves.

We want to reject the book of the Indian Act. It does not prove beneficial. We want the right of the Six Nation of His Majesty's Proclamation 1763 to stand in our reserve.

Saying reserve brings to mind.—There are four leagues of reserve in Montreal that we have never been paid for. We, as Six Nation, applied to the Indian Department in 1936 to assist in securing settlement and

nothing was done for us. We also went to the Governor General but were met by his assistant at that time and were advised to go to the deputy minister and it is our last hope.

We fully expect proper understanding and a just legal settlement. We ask you once more in all judgment not to weaken the right of the Six Nation Confederacy of the Lake of Two Mountains, Province of Quebec, Canada.

Yours truly,

JAMES MONTOUR.

June 10, 1947.

I have here also the judgment referred to, which went to the Privy Council in a letter addressed to George A. Cree under date of February 3, 1937. That letter is addressed to you Mr. Cree.

Mr. CREE: Yes, sir.

The CHAIRMAN: It is written by W. O. Rowell and it is headed as though it was from the Chief Justice of the Supreme Court of Ontario. If it is agreeable I will have that filed and it will become part of the record.

Mr. CASTLEDEN: Can we have it read?

The CHAIRMAN: It cites from a judgment of the Imperial Privy Council.

Mr. CASTLEDEN: What is the point of it?

The CHAIRMAN: I have not read it, I do not know. It will be on the record so that we will have a full and complete picture.

Mr. CASTLEDEN: We may have it two weeks from now but we cannot question this man at present.

Mr. CASE: It does seem somewhat unusual if we are going to question the judgment of a Supreme Court Judge.

The CHAIRMAN: Mr. Castleden's point is that we should know what is in it.

Mr. CASTLEDEN: I want to know whether the judgment has been fulfilled.

The CHAIRMAN: You want to know what is in the judgment. This is the letter addressed to Geo A. Cree, and I will read it:—

OSGOODE HALL,  
Toronto, 2,  
February 3, 1937.

GEO. A. CREE, Esq.,  
1092 Addington Ave.,  
Montreal, Que.

DEAR SIR:—I have now had an opportunity of turning up the judgment of the Privy Council in the action of *Corinthe vs. Ecclesiastics of the Seminary of St. Sulpice*, which was heard by the Privy Council in the year 1912. I quote the following from the judgment which was delivered by the Lord Chancellor, Viscount Haldane. Referring to the Act of the Legislature of Lower Canada of 1841, he says:—

Their Lordships think that the effect of this Act is to place beyond question the title of the respondents to the seigniority, and to make it impossible for the appellants to establish an independent title to possession or control in the administration. They agree with the learned judges in the Courts below in thinking that neither by aboriginal title, nor by prescription, nor on the footing that they are *cestuis que trust* of the corporation, can the appellants assert any title in an action such as that out of which this appeal arises. They



agree with the reasoning upon these points in the judgments of the Courts below.

They desire, however, to guard themselves against being supposed to express an opinion that there are no means of securing for the Indians in the seigniority benefits which s. 2 of the Act shews they were intended to have. If this were a case which the practice of the English Courts governed, their Lordships might not improbably think that there was a charitable trust which the Attorney-General, as representing the public, could enforce, if not in terms, at all events *cy-pres* by means of a scheme, or if necessary, by invoking the assistance of the Legislature. Whether an analogous procedure exists in Quebec, and whether in that sense the matter is one for the Government of the Dominion or of that of the Province, are questions which have not been, and could not have been, discussed in proceedings such as the present. All their Lordships intend to decide is that, in the action in which the present appeal arises, the plaintiffs' claim was based on a supposed individual title which their Lordships hold not to exist. If in some different form of proceeding the Crown, as representing the interest of the public, puts the law in motion, or if negotiations are initiated for the settlement of a question as to the location of these Indians which may be of importance to the general interests of Canada, their Lordships desire to make it clear that nothing they have now decided is intended to prejudice the questions which may then arise.

Owing to my judicial position I cannot offer any opinion upon the matters raised by you. You will have to consult some lawyer in the Province of Quebec.

Yours truly,

(Signed) W. ROWELL.

Mr. BRYCE: It is the case of one lawyer to another.

Mr. CASE: That is very enlightening.

I wonder if I could ask a question of these gentlemen.

The CHAIRMAN: Is it agreeable to the committee that we depart from the usual rule of procedure by having these people questioned?

Mr. BLACKMORE: I would like to hear what they have to say.

Mr. CASE: It is just one point. They say they are representing the Six Nations Confederacy and I want to know if they subscribed to the brief that was presented by the Six Nations Confederacy. You heard the brief?

Mr. CREE: I was not here this morning.

Mr. CASTLEDEN: May I point out the brief presented this morning was from the council of Caughnawaga.

Mr. CASE: It is signed "We, the Council of Caughnawaga, members of the Six Nations Confederacy."

Mr. CASTLEDEN: These men are from Oka, the others are from Caughnawaga.

The CHAIRMAN: Is there anything else you would like to say?

Mr. BLACKMORE: If there is time, the first speaker would like to add some remarks on what he said.

Mr. CREE: I do not want to make a long statement. I would like to ask about the land the Department of Indian Affairs is supposed to have bought on a mountain near the Lake of Two Mountains. I would like to know if it is true?

The CHAIRMAN: What is it that you ask?

Mr. CREE: They are supposed to have bought a mountain, what they call Mount Alexis out in the Lake of Two Mountains. They bought this mountain and paid so much money, so many thousand dollars, and I think Mr. Hoey could tell if that is true or not.

The CHAIRMAN: Do you know anything about a purchase of a lake or a mountain or something?

Mr. HOEY: Within the last two years we have taken over from the Sulpician Order all the lands they owned at Oka with the exception of a comparatively small area surrounding the church. In addition to that we purchased from the Belgian Corporation—that is not the official title, but it is as close to it as I can come to it at the moment—a wood lot known as Mount Alexis. The purpose of the department in making this purchase was to secure for the Oka Indians necessary lands upon which they could live and from which they could support themselves. The purchase of the mountain was particularly designed to provide the older people at Oka with the wood they required from year to year. It is our intention to go further and repurchase a number of lots now owned by white people so that the reserve will ultimately become a well rounded out area with its boundaries clearly defined.

Mr. BRYCE: Is that good agricultural land, Mr. Hoey?

Mr. HOEY: The land secured from the Sulpician Order is reasonably good agricultural land.

Mr. CREE: I was very surprised about the Department of Indian Affairs purchasing this mountain because it is to me like the Rock of Gibraltar. The mountain is just a rock as bare as this table, there is nothing on it. I think it would be best if the department is going to purchase lands they should buy land which could be cultivated for something. That mountain they bought is absolutely useless. There is nothing on it and it is just as bare as this table. I think myself if the Department of Indian Affairs wants to purchase something they should have called it to the attention of somebody that has brains to say whether it is worth the price or not.

The CHAIRMAN: Well you have expressed your opinion and I cannot get into a controversy between you.

If there is nothing else would you stand aside and there will be questioning later.

Mr. CASTLEDEN: Mr. Montour would like to say something.

Mr. MONTOUR: I would like to excuse myself because I cannot speak English the same as you people do. I am a full-blooded Indian. Mr. Cree was talking about wood lots. There is a big mountain there out in the reserve and I do not know how the department could buy it when it is in the reserve. Who is going to get the money? We never sold it on the reserve but two men went out last winter on to that wood lot and they got wood there, but they were fined and they were arrested.

Mr. BLACKMORE: Were they Indians?

Mr. MONTOUR: Yes they were Indians. They paid fines two of them. The Mounted Policemen got those two fellows into the agent's office. There is a point: the Indian Act must be working in there. I believe when I was a kid it was not so much trouble. After the Indian Act came in then the trouble started. I know there were only a few sticks of that wood about so thick (indicating).

So all we are asking from year to year, a good many years now, is to go back to our own old treaty rights. I mean the King's Royal Proclamation of 1763, and also 1784 and 1766, and the other treaties. Now the reserve is really tied up and it is very bad too. I hope we get something these days. The way

we heard it, it is all because of the Indian Act so we of the Six Nations want our rights and our treaties and our reserves clear in our own hands as it was before.

The CHAIRMAN: Thank you very much. I would ask that you be here tonight and tomorrow morning.

Now would Chief Charles Nolette come forward please?

**Chief Charles Nolette, Pierreville, Quebec, called:**

*By the Chairman:*

Q. Chief, you are chief of what reserve?—A. The Abenakis.

Q. How do you spell it?—A. A-B-E-N-A-K-I-S.

Mr. HARKNESS: They are a well-known tribe.

*By the Chairman:*

Q. How long have you been chief?—A. Well I have been councillor since 1921.

Q. You are not chief?—A. Yes I have been chief since 1933.

Q. You have been chief since 1933?—A. Yes.

Q. Were you elected by the band?—A. Yes.

Q. And did you have a meeting before you came down here?—A. I had a council meeting of the band.

Q. And when did you have that?—A. I was appointed by my council of the band.

Q. When did you have that meeting?—A. Last week, I do not remember the date.

Q. Can you tell us how many were there?—A. Two-thirds of the band.

Q. How many would that be?—A. Thirty-five or forty.

Q. Are there any further questions by members of the committee?

Now have you something you would like to give to the committee?

Mr. CASTLEDEN: Could we ask where this reserve is?

The CHAIRMAN: I am sorry, will you please speak so we can hear up at the front?

The WITNESS: It is near Sorel.

Mr. CASTLEDEN: How many Indians are there on the reserve?

The WITNESS: 225 living at the present time on the reserve.

The CHAIRMAN: It gives the figure 482 according to the 1944 census.

The WITNESS: The last census gave 225 residing on the reserve.

The CHAIRMAN: All right, would you go ahead.

The WITNESS: I regret that I must read in French.

The CHAIRMAN: That is all right, Mr. Raymond is here and he is a very good interpreter.

The WITNESS: I will give it to the gentleman and he can read it.

Mr. RAYMOND: (Reading brief): (See Appendix GE)

Mr. Chairman and honourable members of the Senate and the House of Commons.

The CHAIRMAN: I am sorry to interrupt, but it has just been drawn to my attention that there is a brief by Mr. Charles Nolette given as of August 8, 1946, at page 878 of the 1946 issue of the minutes of proceedings of this committee. Is this an additional brief?

Mr. CASTLEDEN: What page is that?

The CHAIRMAN: 878.

Mr. FARQUHAR: Is it sent here by the same council?



The CHAIRMAN: Do you remember that Mr. Nolette?

Mr. RICHARD: Are you aware of this brief, did you know about it?

The WITNESS: Oh, yes, but it is only part of our brief and on just one question.

The CHAIRMAN: All right, would you go ahead Mr. Raymond.

Mr. RAYMOND: (Continuing reading brief):

I am honoured and happy to have the opportunity granted me of joining with the other reserves in Canada in the study of the problems concerning the improvement and welfare of the Indians. I represent as chief, the reserve of the Abenakis of Pierreville. I will be brief in submitting these remarks. The work accomplished by the president and the other members of the North American Indian Brotherhood, has covered nearly all the questions which might interest us. I express here the unanimous opinion of the Abenakis. We request the maintenance of the actual system of the reserves with certain modifications of the Indian Act with a view to improving the situation and safeguarding the rights of Indians. I may say in so far as the problem of education is concerned, with the Abenakis, the present school system has given entire satisfaction until now and we are asking the maintenance of such system. The education of our children has been entrusted to the Grey Nuns of the Cross, Ottawa. For more than sixty years those devoted sisters have carried on a real good work on our reserves. The Indian Act, concerning the outlawing of liquor in the reserves, although it seems quite severe, should be maintained in force for the future. Since a law which has been enacted to safeguard the health and morale and the good name of a people should be appreciated. These laws against the abuse of alcoholic liquors have had good results in our reserve. I am happy to declare that the Abenaki nation is a sober nation. Only a few of our people abuse the liquor laws and they are exceptions which confirm the rule. At all costs, of necessity, we must mold a temperate people. That is the key to all success.

For many years the old age pension has existed in Canada for white Canadians. Until now this law has favoured all Canadian citizens except the Indian. If I understand this law its purpose is to help all individuals who have attained the age of seventy years; people who have been unable, on account of chance, or lack of thrift, to succeed in life or for other reasons have not been able to save a pittance for their old age. The government has deemed it necessary to help such Canadian citizens and the Indian should not be excluded from that category. The Indian, as well as the white, has to face the same trials of life in this country and has the same right, as his white brother, to end his days in relative security. I understand that certain work concerning old age pensions for Indians is under way, and we hope that it will have a happy ending.

There do not exist any actual treaties between Abenakis and the federal government. I mean treaties by which the federal government is bound to certain obligations in return for certain land which has been ceded by the Indians. On the other hand, according to article 40 of the Capitulation signed at Montreal, on September 8, 1760, the Indians allied with His Most Christian Majesty, it says that those Indians would be maintained in their reserves, the same reserves that they had at that time and that they would not suffer in any way for having taken up arms, or for having served His Majesty, and they will further have the liberty to retain their missionary.

The reserve which we occupy at the present time is what we might call a seigniorial grant ceded by the Seigneurs Crevier de St. Francois, according to a deed passed at Montreal on the 23rd of August, 1760.

According to this deed, there was ceded to the Abenakis by the intermission of their missionary, Father Bigot, of the Society of Jesus, one-half league of land frontage for the Abenakis to have and to hold as long as the mission to be established by the Society of Jesus for the Abenakis shall remain there. When the said mission shall cease to exist the said half league presently ceded will be then returned to the Seigneurs Crevier or to their heirs or successors in the same state as prior to this deed.

The same year there has been conceded to the Abenakis one-half league of land by the Seigneur of Pierreville. The two grants comprised at that time an area of three miles in depth by about six miles in length. At the present time, the reserve of Pierreville comprises a little more than 500 acres of land. We can judge, according to these figures, the considerable area of land which we have lost.

I do not want here to speak of the details of these encroachments on our reserve. It might be too long. I would say, however, that certain grants have been made regularly, on the other hand some are illegal.

You mean by that, grants to the whites?

Mr. NOLETTE: Yes.

Mr. RAYMOND (translating): You mean some grants have been made legally and on the other hand some others have been made illegally?

Mr. NOLETTE: Yes.

Mr. RAYMOND (translating): As I have said at the beginning, other questions which interest the Indian reserves in general have been discussed here by the president of the North American Indian Brotherhood. We Abenakis do not wish any amendment or change in our position in so far as the reserve is concerned. The right to vote and the responsibility to pay taxes do not interest us at all. Further, the question of the right of the Indians to elect their own members to the House of Commons should be studied. It would be opportune also for each local council to have full authority in the administration of its local affairs. I end my remarks by thanking the honourable members of this committee."

Mr. Chairman, that is the best I can make of it.

The CHAIRMAN: Thank you very much, Mr. Raymond. That completes your brief, Mr. Nolette. Is there any comment you care to make or any addition you wish to make to it? If you will just stand in readiness for further questioning, we will call the next witness. Thank you very much.

Chief Clifford White; Paul Coldwell and John Jacobs are with you?

Chief WHITE: No, I am appearing alone.

### **Chief Clifford White, St. Regis reserve, called:**

*By the Chairman:*

Q. You are the chief of the St. Regis reserve?—A. That is right.

Q. When were you elected chief?—A. Last year, that is on a three-year term.

Q. Is this your first term that you are serving?—A. Yes, my first term.

Q. How many are there on that reserve?—A. Over 1,600.

Q. 1,613; have you something you would like to present to the committee?—

A. We presented our brief in the early part of this year (See Appendix GF)

Q. Yes.—A. I have just a short brief now.

*By Mr. Richard:*

Q. Where is that reserve?—A. Near Cornwall. It extends over the two provinces.

It is an honour for me to appear before this committee. I have no apologies for being here as the elected representative of the St. Regis Indians. The system of the life chiefs was abolished by order of the privy council No. 1279 which disposed of the life chief system on June 9, 1888, because of misappropriation of band funds belonging to the band.

I do not appear here loaded with complaints like the great majority of our people. We are too busy earning a livelihood. We have other members who do not appear to have time to pursue anything of a constructive nature for our people but who would rather spend their time in creating disunity amongst our people for the purpose of fattening their purses at the expense of the uneducated Indian.

Some of you may know that the department has a definite program in St. Regis such as road building and a nursing station which is to be built in the near future. Our people enjoy free medical care and free hospitalization. I can assure you any improvements in these lines will have the support of the council. I should like to suggest to the members of this committee in the revision of the Act to include the word "Indian" as a person under section 141. I might also add that this committee should consider a minimum standard of education for a councillor.

In closing, I have the confidence that this committee, in making the necessary changes for us of this generation and future generations, will help us take our rightful place in this great country of ours.

The CHAIRMAN: Thank you very much, chief.

Now, there are Joe Mitchell and Moses Thompson also here from St. Regis. Are they here? Would they like to say something? If not, we will proceed to the other witnesses.

Who are you?

Mr. THOMPSON: Moses Thompson.

The CHAIRMAN: Who is the other gentleman?

Mr. THOMPSON: Joe Mitchell.

The CHAIRMAN: Do you hold any office at St. Regis?

Mr. THOMPSON: Yes, we are life chiefs.

The CHAIRMAN: You are the hereditary chiefs?

Mr. THOMPSON: Yes.

The CHAIRMAN: How long have you been chiefs then?

Mr. THOMPSON: Twelve years.

The CHAIRMAN: You are in the Six Nations Confederacy?

Mr. THOMPSON: Yes.

The CHAIRMAN: You are the same as some of the others who have appeared before us to-day?

Mr. THOMPSON: Yes.

The CHAIRMAN: Your brief appeared on page 879 of the 1946 issue of the minutes of proceedings of this committee.

Mr. THOMPSON: That is quite right.

The CHAIRMAN: Have you any other brief to present?

Mr. THOMPSON: Yes.

The CHAIRMAN: Do you want to present it to us and have it included in the minutes? Is it the pleasure of this committee since there is already one brief by this group from the St. Regis reserve, to hear another brief?

Mr. BLACKMORE: I think since they have come here to give it, they might be permitted to give it.

The CHAIRMAN: Would the committee be agreeable to having it placed on the record?



Mr. BLACKMORE: I wonder if they want that.

The CHAIRMAN: Then they could make some comments.

Mr. THOMPSON: Could I ask for an interpreter. I am not very well educated.

The CHAIRMAN: What language do you speak?

Mr. THOMPSON: Indian, Mohawk.

The CHAIRMAN: What language is that document written in? (From this point Mr. Frank Small Fence acted as interpreter for Mr. Moses Thompson).'

The INTERPRETER: This is English.

The CHAIRMAN: We will put this on the minutes of proceedings. Is it agreeable to the members of the committee that we include this in the minutes of proceedings?

Carried.

ST. REGIS BAND

June 11, 1947.

Joint Committee of the Senate  
and The House of Commons  
Ottawa, Canada.

DEAR SIRs,—We the undersigned members of the Mohawk Iroquois Indians of the St. Regis Band—with this message place our grievances before you and the people of Canada:

With one accord the chiefs and members of our tribe want the "Indian Act" taken away from our reservation! This act for the compulsory enfranchisement of the Indians, not only violates our sacred agreements and treaties but while it stands—there is no security of the Indian home! If an Indian is old, crippled and destitute and asks for relief of the Indian agent he is told that he can receive fuel, clothing or food and ten dollars in cash if he will forfeit his house and lands. In other words the Indian is called upon to forfeit his entire birthright as an Indian and all that he holds dear—for a few paltry dollars. To compel our people to do this is nothing short of dictatorship and smacks of Hitler, himself! The Dominion Government of Canada is laying too great a burden and too much hardship on our Indians, in reference to assistance received from you. The majority of our people are very poor due to lack of work. We have no projects, no employment of any kind on our reservation. We see by the papers that the government is very free and generous in its aid to foreign countries, yes even to countries that are known to be enemies. It has appropriated millions of dollars for relief work and to improve European countries. Yet we are told if we, a small number, receive aid we are to lose our lands! We who have been your faithful allies in all of your wars including the late war in which thousands of our youth fought for your very existence! We cannot stand such a type of relief regulation as is found in the "Indian Act". Why should we Indians have to lose our homes while other races are aided by the Government?

Officials of your government have violated our treaties, have made plans to erect a hospital on our lands, have entered our reserve for the purpose of drilling wells and making roads, have sent men to survey our lands and have planned to erect buildings on our reserve—all done without permission from our head men and without letting them know anything about the above mentioned. We blame this all upon the "Indian Act". We cannot understand why these things are taking place without our knowledge and consent. Both Kink George and the first President of the United States promised us that we, the members of the Six Nations Iroquois Confederacy would remain unmolested in our country without any interference from the outside. We quote the words of Sir William Johnson while at Fort Johnson, April 22, 1757:

Brethren, as you have now in behalf of yourself and all your people laid hold of the Covenant Chain of Peace and Friendship with the great King of England, my master, and called the great God above to witness that you do sincerely intend and firmly resolve that you will hereafter, behave, to all his subjects as fast friends and loving brethren into which covenant chain I have taken all your wives and children.

Brother-Concerning the International Boundary line, that according to our original treaty that it does not interfere with it whatever, but it covers the whole plantation.

Brother-Concerning the question referred to by our treaty from the discovery to the time of the first great President of the United States:—

FIRST—That the government has made an illustration that they shall abide in their vessel;

SECOND—That we Indians of the Iroquois, also remain in our birch bark canoe. (Our own government);

THIRD—That the government shall make no compulsory laws for the Indians, but the treaties are to be unmolested forever.”

In 1871 Hon. A. G. Archibald, Lieutenant Governor of Manitoba, speaking of treaties with the Indians, assured us that— “Your great mother, the Queen, would like you to adopt the habits of the whites. But the Queen, though she may think it good for you to adopt these habits, has no idea of compelling you to do so. This she leaves to your choice, and you need not live like the white man unless you can be persuaded to do so of your own will.”— We members of the St. Regis Iroquois Band want to retain our tribal identity, with our reservations. We have no desire to cast these aside. We have no wish that white men enter our reservations, using the Indian Act as an excuse, to create works of any kind (over the heads of our Chiefs and people) to interfere with our tribal life. We have faith in the good word of the Queen who gave us her promise! We hope that our treaties, guaranteeing no interference from outside sources, will be kept by a country that boasts of its honor and word!

We have given up every fertile field, forest and stream. All that we have left is our small reservation, yet now, by laws made, laws that we know nothing of and had no saying in their being made (The Indian Act), we may lose what little land we now possess—Our reservations! We are confined and dictated to by feudal and bureaucratic departments with no representation by our chiefs or by our people. We have no share in the disposing of our destiny and rights! (Witness—Elective form of trustees appointed and started by Canadian Govt. without our consent; Indian Act Law—without our consent; Forfeiting our homes if on relief, without our consent; building a nursing station on our lands, without our consent; drilling wells, making roads, erecting buildings, surveying our lands—all without our consent!)

We are the first people of Canada. We claim justice and an honest living wherever we may be, as the last reprisal for the great wealth usurped by greed and injustice in the name of civilization. Justice has come to a sorry pass when the St. Regis Mohawks and other Iroquois, now that they need relief will be denied relief unless they forfeit their homes and reservation, through laws that they know nothing of and had no say in the making of. Has the power of conquest, the philosophy of might over right for which millions died to deny in the late war, attain the strength to deny what the Great Spirit has given the Indian?

The Indian honors the hand that deals justice. We have kept our treaties and promises with you. We have been faithful allies in all of your wars, from the French and Indian war to World War II. We ask but life and liberty and freedom to run our own little country without outside interference. When you English first came to our country you were few, weak and feeble. Yet we



took pity on you and gave you your start. In times of famine when your little ones cried for bread, who was it who gave them relief, who gave them meat, corn and fish? Did the Iroquois say that you must become as they were if they helped you during your need? Who helped you during the French and Indian war when the French were thundering at your gate? It was your faithful allies, the Iroquois Indians who turned the tide and made your victory possible! If it had not been for the help given by our people the French would have driven you into the sea! Yet now when our people need your aid and protection—you forget. You must seize our homes if you aid us.

When your numbers had increased and you wanted land you made us promises that if we surrendered part of our country we could retain our reservations for all time to come and for land surrendered you would help feed and clothe us! We now remind you of the promises of King George III to his faithful allies, the Iroquois Indians:—

King George III of England, a charter issued to the Five Nation Indians in North America.

1st Condition—The Five Nation Indians territorial government permanent independence.

2nd Condition—Permanent land (Reservations) to the Five Nation Indians.

3rd Condition—As long as the sun shall be moving in the heaven, and grass growing, and the waters flowing in the rivers, the Iroquois Indians shall draw presents, blankets and other goods, etc. (for land surrendered outside of the reservations).

Now if we need your aid we are surprised and shocked to hear that another new law (The Indian Act), a law passed without our knowledge, might take our country away from us if we receive aid from you, a law that gives, apparently from your actions, you permission to enter our reservations and interrupt our way of life, over the heads of our leaders and people. Little did the Iroquois think that the present situation would confront him!

The King and Washington by the Jay Treaty confirmed after 1812 at Ghent, restored to the Five Nation Iroquois and Indians of America all the privileges and precedents that they enjoyed previous to 1812 that to-day are being challenged. Shall we have justice?

You have the mineral wealth of Canada, the wheat lands of the middle west, the forest wealth of the interior, oil fields and fertile valleys. You set aside thousands of acres to preserve the wild game of America, the national parks, but lo—the Indian, you aim to deny him, if possible, the right to live his own life on his reservation, the right to govern his own people in a true democratic way as the Iroquois were governed for years before the white man came to our shores. The Iroquois Indian's appeal is not for mercy. We ask for justice from this great Canadian people, the right to live unmolested in a land that is our heritage. Are we to be called exiles in our own country? Is the trust that our forefathers had in the great White Father at Ottawa to be broken?

We want to remain Indian in this fast changing world. We have seen the results of the white man's way of life. We think it better to remain a good Indian than a poor imitation of a white man! We want to live our own life on our reservations, without interference from outside sources, and governed by our own chiefs appointed in our own way, a way that we understand and a way that we are satisfied with. In plain English we want our treaties to be respected and lived up to!

### THE ST. REGIS BAND

The CHAIRMAN: You have some comments in addition to your brief that you would like to make?

Mr. THOMPSON: We have the same views as the Caughnawagas of the Six Nations Confederacy. Whatever demands are put forward by the Caughnawaga Six Nations Confederacy it is the same with us. It is the same as Oka. There



are four different tribes of Mohawks which form one nation. These four tribes form one nation, St. Regis, Oka, Caughnawaga and Brantford. It is the Mohawk nation.

The CHAIRMAN: Is there anything else you want to say?

Mr. THOMPSON: I do not approve of the Indian agent at St. Regis. He goes right ahead taking a highhanded attitude and taking land where he pleases and building houses without asking the members of the reserve.

The CHAIRMAN: Anything else?

Mr. THOMPSON: He goes on fixing roads. We do not know how much money is spent on it. He does not consult the owners of the land.

The CHAIRMAN: Anything else?

Mr. THOMPSON: He wants to put telegraph poles on the reserve and put up lights. We do not want that.

The CHAIRMAN: You do not like light?

Mr. THOMPSON: He is not the owner of the land. It is owned by the Indians, not the Indian agent, not Rev Father Jacob who co-operates with him.

The CHAIRMAN: Anything else?

Mr. THOMPSON: We would like to have a voice on the St. Lawrence seaway when it comes up. We do not want a canal through the reserve. It is a reserve for the Indians. It is not a reserve for the dominion government. It belongs to the St. Regis Indians. It does not belong to the government: That is all.

The CHAIRMAN: Thank you very much. We appreciate very much your coming before us this afternoon. You will stand by for to-night for questioning and to-morrow at 11 o'clock. Gentlemen, it is practically 6 o'clock.

Mr. RAYMOND: Do we meet at 9 o'clock to-night?

The CHAIRMAN: 9 to-night. Is it agreeable we will meet again to-night at 9 o'clock?

Chief LAZARE: May I have a few words. The chief has asked me if it is possible to go on record. We want to be democratic about this thing. Since there is another party here that claims that they have the majority support of the Caughnawaga reserve we hereby invite any number of the Joint Committee to come to our reservation and find out for themselves who has the support, the councillors or any other party.

The CHAIRMAN: We do not want to get into a controversy between two groups.

Chief LAZARE: That is the only way you will get the full picture.

The CHAIRMAN: You do not need to be worrying.

Chief LAZARE: We are not worrying. We know we have got the support, but that is the only way.

The CHAIRMAN: We may decide later to go down there as a group or we may go down individually.

Chief LAZARE: We only want to be fair to the other party.

The CHAIRMAN: We appreciate your attitude of fairness here. That will be taken into consideration.

Chief LAZARE: Thank you.

The CHAIRMAN: We will meet again to-night at 9 o'clock. For the benefit of those who are in ceremonial costume I do not think it will be necessary to be in costume to-night unless you so desire.

The committee adjourned at 5.55 p.m. to resume at 9 o'clock p.m.

## EVENING SESSION

The committee resumed at 9.00 p.m.

The CHAIRMAN: Gentlemen, will you come to order.

I have received a letter to-day from Grand Chief John Jacob of Caughnawaga and John K. Beauvais. It is a submission to the committee and I will read it if you agree. It gives their views on the matter.

Caughnawaga  
Indian Reservation  
June 10, 1947.

Mr. DON F. BROWN,  
Member—Essex West,  
House of Commons.

DEAR SIR,—We the life chief and clan-mothers of the long house of Caughnawaga Indian reservation known as Mohawk branch of Six Nation confederacy.

Do hereby reporting once again, that we the North American Indians we demand our freedom, and separate the rights between us treaty Indians and the Indian Act people as this Act belongs to the white men's law and we don't wish to hold what don't belong to us. Our protection is the North American Law of 1784 (by the King a proclamation of 1763) that is what we want to be followed. As we are the original aboriginal believer who are members of the long house are in favour of these treaties of 1784 and 1763. Hoping you take this matter in consideration when you receive this report.

(Sgd) Grand Chief JOHN JACOB  
John K. BEAUVAIS  
Caughnawaga, Quebec,  
Box 149.

Now, we have Mr. Charles Canadian here and he would like to make some representations to us.

**Charles Canadian, Caughnawaga, Quebec, called:**

*By the Chairman:*

Q. Who are you acting for, Mr. Canadian?—A. I am acting on behalf of the Caughnawaga Taxi Association.

Q. Have you got a brief there?—A. No, Mr. Lickers has it.

Q. Would you like to say something in connection with the brief or have you got a copy?—A. No, I was just going to make a statement with reference to the brief.

Q. Yes, would you like to say something now?—A. Mr. Chairman, honourable ladies and gentlemen of this committee; it is an honour and a privilege for any Indian to be given the opportunity to present grievances for ratification before this committee. I represent fourteen Indian taxi-owners of the Caughnawaga Indian reserve operating between Lachine and Caughnawaga for the last fifteen years.

Since last June, a year ago, there has been on our reserve a man named Horace Riendeau.

Q. How do you spell that?—A. H-O-R-A-C-E—

Q. And the last name?—A. R-I-E-N-D-E-A-U. He has introduced his bus service into our reservation without consulting anyone in the reserve, the councillors or the band or anyone.

Mr. CASTLEDEN: Has he consulted the agent?

The WITNESS: He consulted the Indian agent and the agent took it upon himself to make application to the Indian Affairs Branch for his application. Now this man Riendeau's application went before the Provincial Transportation and Communication Board and this local Indian agent, François Brisebois from Caughnawaga, supported his application before the Provincial Transportation and Communication Board, despite the opposition of the public and our chiefs themselves.

Mr. CASTLEDEN: Brisebois is the Indian agent, is he?

The WITNESS: Yes, that is right. The result has been the introduction of this bus service between Caughnawaga and Lachine for the transportation of our local Indians between Lachine and Caughnawaga with the intention of monopolizing the transportation of our local Indians. He was given permission to operate on a temporary basis.

Mr. MACNICOL: By whom?

The WITNESS: By the Provincial Transportation and Communication Board.

*By Mr. Castleden:*

Q. Onto the reserve?—A. On the reserve.

Q. May I ask how far it is between Lachine and the reserve?—A. It is about four and a quarter miles.

Q. And how much of that territory is on the reserve and how much is off the reserve?—A. How much is the fare?

Q. No, I want to know the distance, is Lachine near to the reserve?—A. It is across the river.

Q. How much of the four miles of roadway is in reserve?—A. I would say about a mile and a half to a mile and three quarters.

Q. In the reserve?—A. Yes.

Q. And the other two would be out of the reserve?—A. Yes. He has been operating since last June and the result of this operation was the resentment of the Indians of Caughnawaga and they stoned the bus. They arrested, I believe, four of our local Indian boys who are all of teen age and those boys were taken into the Montreal jail and stayed there for at least a month before they were able to get bail and I myself was in there for six days. They charged me with conspiracy to damage the bus. The case is still pending; it is coming up on the 18th of next month. I had nothing whatsoever to do with the damaging of the bus but they have the sole intention of imprisoning me with this charge and they would imitate the rest of my associations.

Mr. CASTLEDEN: You mean intimidate?

The WITNESS: Yes.

Mr. MACNICOL: May I ask, Mr. Chairman, if this is in order in view of the fact the case is before the court.

*By the Chairman:*

Q. I am sorry. Did you say the matter was now before the court?—A. For damages to the bus.

Q. Well, I certainly do not think this is a proper place to be airing this now if the matter is before the courts of the province of Quebec.

Mr. MACNICOL: He said it was coming up on the 18th.

*By the Chairman:*

Q. I think frankly, Mr. Canadian, that the matter has to be taken up with the Indian Affairs Department.—A. I have on several occasions brought it to the attention of the Department of Mines and Resources and the Indian Affairs Branch.



Q. You see, Mr. Canadian, it would be a most improper thing for us to be discussing a matter which is before the courts of the land.—A. This has no connection with whether he has a right to operate. This case in the court is in reference to the damages to the bus and it has no connection at all with whether Riendeau has the right to operate his bus within the limits of the reserve.

Q. But you are now discussing some matter, the facts of which are now before the courts; is that not right?—A. That is right.

Q. I do not think it is proper for you to be discussing that matter here. You see we may form opinions but we only hear your side of the story and there are two sides to the story.—A. If you will permit me to have the brief read I could enlighten you.

Q. I understand that this brief sets out the facts as you have stated them. I think it is quite proper if you wished to have this brief filed and become a part of the record but we cannot express any opinions. If we start questioning you on the facts of a case that is before the courts unquestionably the members of the committee will be forming and expressing opinions.—A. The fact there has been no rectification of this issue is why it resulted in the court procedure.

Q. I say the matter is now in the court and I do not think we can go into it at all.

Mr. MACLEAN: The matter before the court is the matter of the damage to the bus. The other matter is not before the court. If the question of whether they have the right to operate the bus is not before the courts he can discuss that.

The CHAIRMAN: Is that what he is discussing?

Mr. MACLEAN: He mentioned the damage to the bus, but if he did not discuss that it would be all right.

The CHAIRMAN: I am sorry. As I understand it, he was discussing a matter, as Mr. MacNicol has said, which is now before the courts.

Mr. MACLEAN: He brought that particular matter in, too.

The CHAIRMAN: But he is talking now on the general question of whether the bus operator should be allowed the right to go to and from the reserve.

Mr. MACNICOL: That was the cause of the smashing of the bus. I imagine it would be a pretty delicate matter to touch it.

Hon. Mr. McKEEN: It is one point as to whether the bus should run on the reserve. That matter is not in the hands of the court. If that is the question he wants to raise that would be all right, but he brought in the point himself about being in jail and the case before the court. That is where Mr. MacNicol raised the point.

*By the Chairman:*

Q. So far as any damage do I understand from you that one of these buses was travelling on your reserve and there was some offence committed, and that case of the stoning of the bus, the offence to which I just referred, is now before the court?—A. Yes, sir.

Q. You cannot discuss the matter, but I think we could well discuss the matter of the general right of buses to go to and fro on the reserve property.—A. That is what I wanted to bring before the committee.

Mr. CASTLEDEN: Leave the other matter out.

The WITNESS: If it is in order I should like to have that brief read and you would be more enlightened on that subject as to why I am standing here today.

*By the Chairman:*

Q. Do you want me to read this now?—A. Yes, please.

Mr. FARQUHAR: Is it very long?

The CHAIRMAN: Two pages.

Caughnawaga, P.Q.,  
Indian Reserve,  
Dec. 12, 1946

Mr. Norman E. Lickers,  
Liaison Officer,  
Committee on Indian Affairs,  
Ottawa, Ont.

Dear Sir—May we prevail upon you to assist us in a matter which we consider to be of grave importance to us, "The Caughnawaga Taxi Association."

Our grievances are, that one white man, namely Mr. Horace Riendeau of St. Remi, Que., has established his bus service in our village of Caughnawaga reservation, to exploit to his advantage with the obvious intention of monopolizing the transportation of our people, between Lachine and Caughnawaga which is a distance of four miles, in which the Caughnawaga Taxi Association have been operating for the past twelve years and still endeavouring to carry on, inasmuch as circumstances will permit, if you will adhere to the following:-

1. That our local Indian agent, Mr. Frs. Brisebois, extemporaneously applied to the Department of Mines and Resources, for the application of Mr. Riendeau, to operate his bus in the village of Caughnawaga Indian reserve roads. That Mr. Brisebois also appeared before the court of Provincial Transportation and Communication Board, on October 3, 1946, to support Mr. Riendeau's application despite the opposition of the public, and the operators of the taxi association endorsed also by the petitions of our local Indians, and further backed by the Chief and council in which we strenuously opposed the application of Mr. Riendeau, again we have been overruled by predominant factors, as we lack the necessary (political influence) to substantiate our grievances.
2. That the Department of Indian Affairs, and also the Department of Mines and Resources have been called upon in person, that Mr. Riendeau was operating his bus on the reserve roads, it seems that both Department of Indian Administration want to rest the responsibility upon the other. The Provincial Transportation and Communication Board, in their judgment of Riendeau's application, were without jurisdiction to establish him a terminus on the reservation, and these facts are known to both above mentioned, of Indian administration in Ottawa.
3. That Riendeau called the traffic provincial police of Montreal into our reservation, all due to the public resentment of operating his bus within the limits of the reservation. Due to the fact that Riendeau has sufficient political influence, to use the provincial police as to intimidate our residents to the extent of stopping our taxis at the foot Mercier bridge in Ville LaSalle, and threatening us with the cancellation of our licences on our cars, the consequence of which resulted with such protests, that the police arrested six boys from the reservation for stoning the bus, and charged conspiracy to Charles Canadian, President of Caughnawaga Taxi Association, which is still pending in the Criminal Courts of Montreal.
4. That the Indian reservation of Caughnawaga be more reserved to the Indians only. We have close to one hundred white families that have taken up residence in our reservation, for the past ten to fifteen years,

and some have resided in our reservation, owing to the housing shortage. The fact that these white people reside in the reservation, they form their opinion in our general affairs of the reserve, insomuch to petition for the operation of Mr. Riendeau's bus, with the aid of one Indian that's a politically inclined provoker (backed by a local M.P.), to exploit the Indians to their advantage, we are, of course in the background in the opposition of this nature, as we are wards of the government. This above mentioned Indian politically inclined provoker, has in the past thirty years or more, held elections for the provincial and federal, in the reservation of Caughnawaga, in which is not in accordance with the Indian Act.

5. That the provincial highway that passes through the reservation of Caughnawaga, to be taken more into consideration, the danger of our people of being killed along the highway, the motorists have repeatedly, year after year, killed our children, or disfigured them for the rest of their lives, or they run into our houses, or kill our horses and cows. Up till now the authorities have not taken any precautions steps to safeguard our people of Caughnawaga reservation.

Respectfully submitted on behalf of the  
Caughnawaga Taxi Association,  
Pres. CHARLES CANADIAN.

Then below that there are the names of the members and drivers.

*By the Chairman:*

Q. You want that put on the records—A. Yes, please.

The CHAIRMAN: Is that agreeable to the committee?

Carried.

*By the Chairman:*

Q. Is there anything else you want to say?—A. As you can see there since the introduction of this bus I have gone to every corner of authority to come to some understanding and I find myself meeting with opposition from politics. I have no protection from that kind of opposition as you well know. This practice has been carried on in our reservation for several years. Because of this practice it is very hard for our leaders, the chief and council, to accomplish anything with that kind of fight. We have been overruled in every court in Montreal if they have any political connection. This practice, I submit, honourable members should not exist on any reserve because we are not in a position to take upon ourselves the fight against opposition of that kind. I ask you gentlemen here to see that in the future such practices shall not take place on any reserve in the Dominion of Canada.

There have been abuses. There have been hatreds. It has caused disunity amongst the people on the reservation. This is the result of disunity. I come from Caughnawaga myself. We failed to have agreement when we came up here on something which is of great importance to the people of Caughnawaga.

This is not the first time this thing has confronted me. I spoke of other occasions and I could cite them, but they are not of much interest to me now. Here is a practice which should be stopped. Our council passed resolutions as they have already stated here which have been overruled, by what? By these political connections they use. We have none. We have some individual Indians there who use these things. This is the result of disunity in Caughnawaga Indian reserve.

Right now, with the summer residents who have come in we have close to 200 families on our reservation. Our own people cannot find homes in our own



reserve. The people who have come back from their work to spend a week or a month or two on the reserve cannot find a place. These are the conditions at Caughnawaga.

*By Mr. Castleden:*

Q. You mean white people?—A. White people.

Q. Are coming on the reserve?—A. Yes. Then, some of the white people who live on our reservation go so far as to express their opinions concerning our general affairs, as I have stated in my brief. They have petitioned for the operation of this Riendeau bus.

*By Mr. MacNicol:*

Q. How are they allowed on the reservation?—A. That is what I want to know.

Mr. MACNICOL: White people have no business on the reservation in my opinion.

The WITNESS: I went to the mayor last year, and I went to our agent Francois Brisebois. He had authority there, because I interpreted for him, to evict those trespassers. We came from the reservation and showed this order which came from the Department of Indian Affairs. We told him we wanted him to exercise this immediately. I said, "Our own people have not got places to move into and here the white people are filling up Caughnawaga." He says, "We will have to take this matter up with the Department of Indian Affairs." Already, he has in writing from the Department of Indian Affairs an authorization for him to act in this matter. These practices have taken place on our reservation.

*By Mr. Case:*

Q. Did you say, you went with the mayor?—A. Yes.

Q. The mayor of what place?—A. Caughnawaga.

Q. The village of Caughnawaga?—A. Caughnawaga is a reserve.

*By Mr. MacNicol:*

Q. What does the chief or council say about this?—A. They have been opposing this and they have been told, after the war is over and housing conditions improve they will remove the whites. The war is over and they are still there and they are still coming in.

*By Mr. Case:*

Q. Let me get this straight, is this gentleman of whom you spoke the mayor of Caughnawaga reserve?—A. Yes.

Q. It must be an organized municipality if you have a mayor there?—A. We call our chief the mayor.

Q. You live on the reserve?—A. Yes.

Q. Do you support the brief presented by the Caughnawaga council?—A. My father is in the council.

Q. The council of Caughnawaga, composed of the Six Nations Confederacy presented a brief this morning. Are you in favour of that?—A. I am, to some extent.

*By the Chairman:*

Q. Is there anything else? You see, Mr. Canadian, so far as the enforcement of federal law and provincial law is concerned that is a matter upon which we do not want to express an opinion. However, I think it would be well if this matter was referred by this committee to the Indian Affairs Branch for a report. We can discuss that matter. We are having Mr. Hoey before this committee as a final witness very shortly. I think it will be next week, probably?—A. I took

the matter up with the Honourable Mr. Glen on the 5th of May when I was here last. I left a petition there and I left with him two letters, one from the Mines and Resources Department and one from the Indian Affairs Branch, giving their opinion on this matter.

Q. I am now informed that the matter is under active consideration by the Indian Affairs Branch, Mr. Hoey's office. Mr. Hoey, unfortunately, is not here this evening, but I am now informed that is what is being done. This committee will request Mr. Hoey to give us a report on it.

Mr. CASE: The reasons as to why these people are living there and so on?

The CHAIRMAN: That is right, and what steps are being taken to have them evicted.

*By Hon. Mr. McKeen:*

Q. Who owns the houses in which the whites are living?—A. The Indians themselves, on the reserve.

Q. Do they rent them to the whites?—A. They rent them. The Indians, sir, rent them for the summer season. I believe there is a by-law governing that. When the fall comes, the whites are faced with a housing shortage and they remain there.

Q. Who gets the rent, the band or the individual Indian?—A. The individual owner.

*By Mr. Castleden:*

Q. Are the owner in favour of having these people moved out?—A. Yes.

*By the Chairman:*

Q. Would you be content to leave it at that, Mr. Canadian?

*By Mr. Richard:*

Q. You say the owners are content to have these people moved out?—A. After the summer season.

Q. Up until now they have been content. They rented the houses themselves?—A. What they did in the past—there is a by-law covering that, that a white person can stay for the summer months only on the reserve. When the fall comes the whites are stuck for a house and they remain there. The Department of Indian Affairs allows them there owing to the housing shortage.

*By Mr. Farquhar:*

Q. Is that by-law a ruling from the band?—A. That was in the past. I do not know much about that, but I know that was a ruling of the council some years ago.

The CHAIRMAN: Now, if you will be content with that we will proceed.

The WITNESS: What I would like to get straight before I leave is this; has the provincial jurisdiction the right of way over roads on an Indian reserve?

The CHAIRMAN: Has the—what?

The WITNESS: Right of way over roads on the Indian reserve.

The CHAIRMAN: Just a minute. Let's get one at a time. Everybody is speaking on all sides of me and I did not get it at all. What did you say?

The WITNESS: Has the provincial government jurisdiction over the right of way on roads on Indian reserves?

The CHAIRMAN: Are you asking us, or do you want us to find out?

The WITNESS: I would like to find out because I am at a loss to find out.

Mr. FARQUHAR: Our opinion is that they have not.

The CHAIRMAN: That matter will also be referred to Mr. Hoey for further consideration. We will have that discussed by the committee later.

*By Mr. Castleden:*

Q. Is this the regular provincial highway running through the reservation and on down to the United States border, is that right?—A. Yes.

Q. Is it part of the main trunk highway which runs through your reserve?—A. It runs through our reserve and then it goes into our village, say about a mile and a quarter—or, say about a mile.

Q. Do you know whether, at the time this road was built, permission was obtained from the band or council with regard to that right of way?—A. I believe it was, but that was several years back. They built another highway and then abandoned this road that goes into the village.

Mr. FARQUHAR: Possibly the old right of way has been abandoned.

Mr. CASTLEDEN: It would occur to me that before any special road was built for your reserve action would be taken officially to get the consent of the band or by some other means to get permission from the Indian chiefs to put that road through. Do you know whether that right was ever granted by officials of the department to the people making application?

The WITNESS: I think the chief would be in a better position to answer that than I am.

The CHAIRMAN: I think we have gone far enough with this matter and I am going to ask you to make way for the next delegation.

Mr. RICHARD: Just a minute Mr. Chairman; while he is here we had better finish this matter. We are going to be here for a while yet.

The CHAIRMAN: Not very long.

Mr. RICHARD: Oh, yes.

*By Mr. Richard:*

Q. Are you opposed to the provincial highway going through the reserve?—A. Yes.

Q. Is the other delegation opposed also?—A. Yes.

Q. You are both agreed on that?—A. Yes.

Q. Now I would like to ask you this: do you not think the advantage of having a highway by which you can reach the city, the doctor, the hospitals or anybody else, far outweighs the disadvantages that attach to it?—A. I don't believe so. We commuted between these points very conveniently before the highway was through there.

Q. Well, it is a good way to get out of the reserve.—A. Well, they didn't complete the road; and they are given too much authority there because they have made improvements for their own convenience.

Mr. CASTLEDEN: Such as what?

The WITNESS: Such as the bus route now. They have no right there to establish a terminal. Even on the main highway they have not that right. They have a right of way to go through and that is all.

The CHAIRMAN: Gentlemen, I want to know now if it is going to be the practice of this committee to permit questions before the witness has completed his presentation, or are we going to wait and hear all the others? If we are not going to do that, let us decide the matter now and if we are going to change our policy let's go ahead and ask questions; otherwise, I think it would be well to hear what these other people have to say.

Mr. FARQUHAR: Well, Mr. Chairman, this witness does not know whether the province has that right or not. I do not think it is of any benefit to question him further.

The CHAIRMAN: Are you through; have you completed your presentation?

The WITNESS: Yes.



The CHAIRMAN: Well, the practice has been we receive the presentation by the witness and then he is asked to stand aside and wait until we have had an opportunity of hearing the others. After the others have made their presentations then we divide up the time in questioning all the witnesses who have appeared before the committee.

The WITNESS: I have covered about everything.

The CHAIRMAN: We thank you very much, then.

Mr. CASE: Mr. Chairman, while we are waiting for the next witness I do submit that the limited questioning which takes place here is necessary. We are not cross-examining, we are trying to clarify a statement he has made. I do not think he should be cross-examined, but I think it is quite in order for members to ask questions for the purpose of clarification. We are not cross-examining the witness. I think that is a fair statement of it.

Mr. CASTLEDEN: Agreed. Next witness.

The CHAIRMAN: Tomorrow we have here the delegates from Maniwaki and the Abitibi. That will probably take the whole of the morning. We now have Chief Mike Montour, Matthew Lazare and Frank Small Fence for questioning on the brief which they presented. Would you like to come up here, and bring with you any others whom you would like to have present?

Mr. MACNICOL: This is in connection with the brief they submitted this morning I take it.

The CHAIRMAN: Yes.

Mr. LICKERS: I have here a summary of the brief submitted by the Huron Indians of the Lorette reserve.

The CHAIRMAN: We have here a resumé of a brief submitted by the Huron Indians of the Lorette reserve. It is agreed that this be filed with the committee and become a part of our minutes of proceedings.

Agreed.

June 9, 1947.

1—Referring to the Minutes of the Joint Committee, dated August 6 1947, p. 752, when Mr. Hoey said regarding the work done by the Indians inspectors "According to present practice not only do they meet the Indians, but we have the assurance in their report that they visit every Indian home, etc." You must tell him that this was never done in our reserve (Lorette) and Brigadier Martin was right, so we approve him very strongly. The Indians inspectors are not doing their job, and it is very easy to prove it to anybody, at any time. If they come on the reserve, their visit is limited to the agent office, and a fishing trip with the agent to his camp.

2—Referring to the Minutes dated May 25, 1941, p. 1456, Section Higher Education of a brief read by Father Plourde: "We believe that more young men and women from our various schools will eventually reach the university and complete their studies if given sufficient help from the department and we are glad to say that this has never been wanting." I believe Father Plourde is wrong when he said that this has never been wanting.

In August, 1941, my sister Lucette Picard asked the agent, and the department, for a tuition to go to Laval university, and you will find enclosed a copy of the answer from the department.

Regarding my own case, I must tell you that I graduated from Laval university, May 1946, with a Master Degree in Commerce. My studies cost me \$300 a year. I did ask the agent for a tuition, because we are

not rich and my father has a big family (9 children) and the agent refused without any explanations. I had to work during vacation to pay my fees, and I did not receive a single penny from the department. I still have a debt to pay.

I hope with all my heart that something will be done regarding education. I do not want my fellow Indians to study in the same conditions I did.

3—Question of the Indian agent is our worst problem. The agent is a kind of dictator on the reserve. The agent's authority should be limited.

We are in favor that a sub-agent be nominated by the band, someone to take our interest. This sub-agent shall co-operate with the agent, and know all the correspondence between the department and the Indian Agent. He would assemble the council at least once a month to report to them—ask his advice and act according to the majority. He would need a knowledge of financing, because we would be most interested to know what is done with the funds, where the money goes—how it is spent. He, of course, would be remunerated by Ottawa. Government inspectors' reports should be signed jointly by the inspector and the council (in general).

4—White people must get out of the reserve in the shortest possible delay. Our reserve is limited to a very small area and they must make room for the Indian. White people on the reserve are always a source of trouble and if we want to live in peace, they must live outside the reserve.

5—Indian must be exempt from taxation. For the simple reason that it is impossible to work on the reserve, to earn a decent living we must work out of the reserve. An Indian has about 45 feet by 60 feet of land. It's a laugh isn't it. What can you do with so little? You cannot cultivate, you cannot work on the reserve. There is no way of making a living there. The Indian has to work outside, be ridiculed, pay taxes and be handicapped by lack of education. Our reserve is not even 9 acres in all. Pretty soon the government will have to buy land in order to give our young ones place to live. The cause is this,—encroachment by white people on the reserve.

6—People from Lorette reserve are unanimously against compulsory enfranchisement. Why should an Indian give up his title? There is nothing wrong with it. It's an honour.

7—Through lack of education and trickery Indians did away with their land—rather, lost it. Some law should be established to allow at least so much ground "to be untouchable", by either Indians or white, until such time another revision takes place or the Indians as a nation become self-reliant. This would protect the Indian.

We will now hear Chief Mike Montour, Frank Small Fence, and Matthew Lazare who will be the principal speaker.

**Matthew Lazare, spokesman for the representatives of the hereditary chiefs, Caughnawaga Indian reserve, recalled:**

The CHAIRMAN: These gentlemen represent the elected council of the Caughnawaga reserve. It is now quarter to ten. What is your pleasure? We have many other witnesses to cross-examine, and all has to be done to-night.

The WITNESS: I would like to get this point straight; we represent the elected council, the hereditary chiefs and the band on our reserve

The CHAIRMAN: That is right.

The WITNESS: Not just the council.

The CHAIRMAN: Yes. There was a suggestion made that we probably would have a look at your reserve some of these days, that was concurred in by Mr. Delisle, I think it was, Mr. Joseph Delisle.

Mr. JOSEPH DELISLE: Yes, sir.

The CHAIRMAN: You are concurring in the idea of having the committee look over the reserve at Caughnawaga?

Mr. JOSEPH DELISLE: Yes, sir.

The CHAIRMAN: We may find an opportunity to do that. I do not know whether we will or not this session, because the session, we hope, is drawing to a close, committees are very active.

Mr. MACNICOL: Mr. Chairman, I would like to return to the House as I am supposed to speak on the P.F.R.A. measure and I know the bill is coming up, so if I might, I have one or two questions which I would like to ask.

The CHAIRMAN: If that is agreeable to the committee?

Agreed.

Mr. MACNICOL: The witness in his brief mentioned the Jay treaty and gave two different dates. My opinion is that the right date is 1790 something—is it 6 or 7, I do not know which it is. The witness mentioned two dates. On page 3 he says 1776 and at another point he says 1796.

The WITNESS: There may be some error there, Mr. Chairman.

Mr. MACNICOL: All right. Mr. Hoey is not here. I guess there is nobody here who can answer for the department. I was going to ask, Mr. Chairman, whether there is any answer, why the department did not answer these resolutions sent by the band to the department. Apparently there is no one here who can answer that.

Mr. CASTLEDEN: You might postpone it or put it as a notice of motion.

Mr. MACNICOL: You mentioned this morning the Mohawks. I understood that there were a number of tribes included in the Six Nations, but I think you people said that you represented the Mohawks.

The WITNESS: There are Six Nations on the reserve at Brantford, on the Brantford reserve.

Mr. MACNICOL: But you are all Caughnawaga?

The WITNESS: We are all from Caughnawaga, there is only the Mohawks.

Mr. MACNICOL: This morning there was some reference to some other tribes. What I cannot understand, Mr. Chairman, is why so many white families are allowed on the reserves?

The CHAIRMAN: Are you asking me?

Mr. MACNICOL: I hope somebody will ask the chief, or whoever represents the chief here why they allow so many white families on the reservations. Personally, I don't think the whites have any business on an Indian reserve.

The WITNESS: I have stated here in our brief that the Department of Indian Affairs has found that it is to the advantage of the Indians to rent houses in order to better their living conditions, but the most the tenants have done is damage the houses and burn them. We have not benefited from that practice. The ruling was made by the Department of Indian Affairs.

*By the Chairman:*

Q. When was that?—A. Still—

Q. When was that ruling made?—A. From time to time as the white people are going in; and still to-day that practice is carried on. From time



to time the Indian agent makes application to the Indian department for certain white families to reside on the Indian reservations without the consent of the band or council.

*By Mr. MacNicol:*

Q. One more question and I am through. Does the Indian agent act as a dictator, as an all-powerful person?—A. Yes, he does.

Q. He does not pay any attention to the band?—A. Well, when there is a council meeting he just says that he is paying attention, but after he leaves the council he does not carry out the resolutions that have been passed.

Q. That is all I have to ask.

The CHAIRMAN: Senator McKeen.

*By Hon. Mr. McKeen:*

Q. I would like to know what revenue they get from these houses; is it considerable?—A. No; \$15 or \$17 at the most a month.

Q. They do not get anything like \$50 a month for any of them?—A. No.

Q. When these houses are burnt down are the tenants not responsible; do the Indians not collect anything?—A. Apparently these people move away to another house and the Indian agent states that there is nothing in the power of the Indian that he can do.

Q. Does the Indian agent force these people to rent their houses, or are they rented voluntarily by the Indians?—A. No, if these people will not rent houses he will find somebody else who will rent these people houses. The result of that is that people are renting houses because they figure the white people are going to stay on the reservation anyway.

Q. If a man owns his own house he does not have to rent it to anyone, does he?—A. No, he does not have to rent it.

Q. All these houses are rented on a voluntary basis by the Indians of their own free will, are they not?—A. In a way, yes.

Q. I do not want a qualification; say either yes or no.—A. Yes.

Q. That is all I have to ask.—A. I may add that the majority of them would like to see the white people leave.

Q. They get a living in other ways, do they?—A. Yes. They want to see the white people leaving the reservation.

*By Mr. Matthews:*

Q. I have so many questions that I would like to ask on this brief which was given this morning, a large part of which does not appeal to me at all, but I will pass on my turn to Mr. Farquhar.

*By Mr. Farquhar:*

Q. I do not think it necessary to ask any questions because I do not agree with this way of revising the Act at all; but I will ask one question. The previous speaker mentioned that there was a by-law passed allowing whites to occupy those houses for six months during the summer months?—A. That is right.

Q. So that your council did pass that by-law?—A. Yes, the Caughnawaga elected council passed that by-law.

Q. What are you complaining about, then?—A. Well, we are complaining that the council did not consult the band, because after all it is the band that stands to suffer from this practice.

Q. If this committee gave your council additional power they would possibly act in the same way—not in accordance with the views of the band.—A. I do not believe it would, because we have what we call the constitution of the Six Nations which must be adhered to.

Q. But apparently it is not adhered to, is it?—A. Not at the present moment because we have the Indian Act.

Q. The Indian Act does not prevent the council from adhering?—A. Yes, because it was under the Indian Act the councillors were elected, not by the constitution of the Six Nations.

Q. Are they not elected by the band?—A. Yes, they are elected by the band.

Q. Still they do not carry out the wishes of the band according to your statement?—A. No. There is a small group that seems to favour enfranchisement of our Indians, and not only that, they do get a chance of becoming councillors of the reservation by promising the people a lot of thing for their improvement and once they are in there they really work to the detriment of our people.

Q. That is all I have to ask.—A. Once they are in there it is too late; they have to stay there for a year.

Mr. HARKNESS: Mr. Chairman, I did not hear this brief read and so I will not ask any questions.

The CHAIRMAN: Senator Johnston.

Hon. Mr. JOHNSTON: I did not hear the brief read, but from the evidence I have heard this evening I would like to have the question which Senator McKeen asked qualified with regard to the renting of these houses.

*By Hon. Mr. Johnston:*

Q. You say that the Indians themselves rent the white people houses?—A. Yes, on the advice of the Indian agent.

Q. On the advice of the Indian agent?—A. Yes.

Q. Even although they do not need to accept that advice?—A. No, they do not need to accept it.

Q. No Indian needs to walk out of his house and let a white man go in?—A. No, that is right, but to the knowledge of all our people on the reservation they realize that under the Indian Act our councillors have no power whatsoever; they must abide by a little information they get from the Indian agent.

Q. I think that this is important. The Indian agent cannot force any Indian to walk out of his house to let a white man in. He would not do it, and he would not be upheld by the director?—A. That is right; but as it is I am trying to give a clear picture of this. The elected council at the present moment and in years before had no power whatsoever to decide on these points. They have protested and they have made petitions to the Indian department all to no avail. Nobody listened to them. In fact, wherever they go they are running up against a blank wall with no other place to go. That is why the Indians of Caughnawaga hate the Indian Act.

Q. It is a matter for the individual Indians. They are their homes; they do not need to give them up?—A. That is right. But the Indian Act has created divisions amongst us and it is the small groups of people that carry on these practices. They are the ones that start off the other people, and you know the way it is in all communities that goes on like fire, because the council is powerless to stop them. Now, if the council had a little more power that practice would have been stopped long ago, but everything must come up before the Minister of Mines and Resources and from what he does there is no appeal.

Q. No Minister of Mines and Resources or director of Indian Affairs would support the idea of any man being forced out of his house to have it rented to a white man on the reserve.—A. It is not exactly that practice that a man is forced out of his own house. No, there are some people that have two or three houses—a surplus for the time being but which are needed by members of the band who go homeless. At the present moment there are people on the streets—our own people—looking for houses which they cannot find to live in. They have to live in with their in-laws and their parents. As it is they have small cramped homes anyway.

Mr. FARQUHAR: It seems strange that in a situation of that kind your band passed a by-law contrary to the wishes of the people.

The WITNESS: This present council cannot be blamed for that. That was passed years ago. If I may say it was over twenty-five years ago.

The CHAIRMAN: Mr. MacLean.

*By Mr. MacLean:*

Q. I would like to know what the witness meant when he said that the Indian Act tends to divide and even destroy the red man.—A. Well, we mean this, that the Indian agent has a group with him that works for him. He has changed the people's mind so they are going to play the Indian agent's policy while the council in general are striving for the betterment of our people—such things as provincial roads going through our reservation. He consults this small group. He consults this little group—some people on our reservation call them J.P.'s—justices of the peace—he consults these little groups, and whatever they decide goes. They do not consult the chief councillor nor his councillors nor the band. They passed the highway right through. Just a few years ago we had some of our men arrested because they tried to stop the highway from going through. The provincial government was going right through, tearing down the fence of a farmer right over his land and because he objected to the red coats he got arrested. This protecting of the property is up to the Indian agent who arranges all that. It is not up to the Indian himself.

Q. You would not really blame the Indian Act?—A. They are given power under the Indian Act to decide for us because we are supposed to be minors; we "have no minds of our own" and we cannot decide anything; we are treated just like children.

Q. In your brief you wish to do away with the Indian Act. Do you mean by that that you would not want the government to give you any aid at all and you would be independent, just like the white men?—A. Just except the obligations under the treaties, that is all we are asking. We do not ask for anything more than what belongs to us. We do not want to interfere in your affairs. We will be content to live on our own reserves and attend to our own business. In that way we sincerely believe we will progress more quickly. This way we are tied down. Every time we set up in business there is a white man set up at another corner in competition with the red man.

Q. You mean in your reserve he does that?—A. Yes.

*By Mr. Richard:*

I will be as brief as I can.

The CHAIRMAN: You have till 10.04, I will give you an extra minute. I am looking at that clock and I do not hear anything.

*By Mr. Richard:*

Q. I want to know what you object to thoroughly and absolutely. You object to the Indian Act and want it wiped out?—A. That is right.

Q. You want the agent out of there?—A. Yes, and all white people out of there.

Q. And probably all laws which govern white people, you do not want them to apply on the reservation?—A. That is right.

Q. You do not want laws at all? You want the Indians living on the reserves to have complete sovereignty and authority?—A. Just on that reservation.

Q. That is what I am saying. That would do away with some of the benefits would it not?—A. It would.

Q. You do not want that?—A. It will do away with them in some cases but it will not in others.



Q. Well, now, you have mentioned schools. If you are going to do away with all dominion or provincial authority, and the Indian Act, and the Indian agent, and the white people, what kind of a school would you want to have and who shall impose that system; the Indians themselves?—A. The Six Nations confederacy will set up a public school with qualified teachers the same as you people have in the big cities. It would be like what you call the Protestant Schools Commission of Quebec.

Q. When you say qualified, that would be qualified under the white man's law, but you do not want the white man's law at all.—A. In the beginning we must have qualified teachers and white men if possible.

Q. After that who will decide who are qualified teachers?—A. There will be a board for that purpose.

Q. By the Indians?—A. Yes.

Q. That will decide who will be qualified?—A. Yes.

Q. The broad picture is you want complete authority and sovereignty as a nation?—A. That is right.

Q. I understood that from your brief.—A. There is no disrespect shown to the Canadian government.

Q. Well now do you think you state the wish of the great majority of people of the reserve when you say that is what you want?—A. That is right.

Q. You said eighty to ninety per cent wanted that?—A. That is right. That is why I invited the chairman this morning and some of you committee members to go down to our reserve and see for yourselves what the party is like, and the majority of the councillors or the so-called, self-styled chiefs that came up themselves.

Q. Family allowances are another point. I want to be quite clear. I understand the Indians of the reserve have been granted this allowance?—A. Yes.

Q. And some of them have refused to accept it?—A. That is right.

Q. Do I understand all the councillors here are refusing to accept the family allowances?—A. Yes.

Q. And also advocating and encouraging others not to accept it?—A. That is right.

Q. You believe yourself and you are telling people that there is some hook of some kind attached. You fear Greeks who bear presents?—A. That is right. At the time that was introduced there was a picture of Mackenzie King on that sheet which distinctly states for the future citizens of Canada. We do not want to become citizens of Canada or the United States, we are content as we are, Indians.

Q. You think there is a hook there somehow?—A. Yes, it is being future citizens.

Q. Do you not think probably your children are suffering on account of this refusal?—A. No.

Q. Through lack of education eventually, and through better living conditions.—A. I myself never suffered from lack of education because I did not attend any Indian schools. I went out on my own.

Q. You had means probably?—A. It is not because I had means, it is because I wanted an education and I realized I would not get it on the reserve and I worked to get an education.

Q. Do you think there are some on that reserve with the school system there now that have not received an education?—A. We can present witnesses anytime you drop around there that have graduated and gone on to attend education in Montreal and district and they will tell you of their experiences.

When they were supposed to be entered in one grade they could not keep up, they had to be dropped down two or three grades and that makes a poor Indian.

Q. I see, well I do not want to take any more time.

The CHAIRMAN: You still have a minute.

*By Mr. Raymond:*

Q. A few moments ago you said many of the houses you were renting on the reserve were burned out?—A. Yes.

Q. About how many?—A. If you really want the proof I could get it.

Q. About how many?—A. Approximately five farmhouses so far.

Q. We will say in the last five years?—A. In the last ten years.

Q. Five have burned out in the last ten years. Now following with what Mr. Richard said, can you tell me if the Caughnawaga band would abandon the privilege of earning their living outside the reserve.—A. That is not the point.

Q. No, but do you think they would.—A. No. After all, we even have Canadians going to the United States to make their livings and I believe we should have that privilege too.

Q. Now this morning although it is not mentioned in your brief, you said you were representing the Indians of Caughnawaga, except a few traitors. You do not need to answer but you may answer. When you say traitors do you mean those who came after you?—A. I mean the people that compromised and gave away our land without the consent of the majority.

Q. Would you name the others who are the traitors you are referring to?—A. I do not give names but there are many of them.

Q. And how many of them do you believe you have there?—A. A very small group; they are all the best educated men.

Q. All the best educated men, but about how many?—A. That is hard to say.

Q. Ten, five or a hundred?—A. Between ten and fifteen, I suppose.

Q. And would you say you are representing all the Indians of Caughnawaga except those ten or fifteen traitors?—A. It would be very hard to be exact.

The CHAIRMAN: I am sorry we did not get that.

*By Mr. Raymond:*

Q. I was interrupted very graciously by the chairman but may I repeat what I said. I understand this morning you referred to traitors and I would like to get the point clear in my mind. You referred to the fact this morning that you were representing all the Indians of Caughnawaga except a few traitors?—A. That is right.

Q. And you would say there were about ten or fifteen families?—A. Yes.

Q. And that is all that you do not represent today?—A. That is right.

Q. That is all.—A. Because those people are ashamed of their race. They are ashamed of what they are and in any nationality or in any country when a man is ashamed of his race he is a traitor.

The CHAIRMAN: Mr. Castleden, you will have until 10.12.

*By Mr. Castleden:*

Q. I was very interested in your brief because I think it points out to us that there is mistrust there, and lack of confidence, and if we are ever going to solve the problem of the Indian we must have enough confidence to meet together around a table and talk things over.—A. That is right.

Q. I think you want to meet around that table with the rest of the people or peoples.—A. That is right.

Q. Now do you think the Indians would be willing to do that if we called such an assembly?—A. They will on one condition. When this petition was made it was passed before the Six Nations grand council.

Q. Which petition are you talking about?—A. This brief, and it was approved according to the other hearings and they would be willing to sit down and come to an understanding with the Canadian government on one condition, which is that they have to prove their trust first by fulfilling their obligations under our treaty. After that is fulfilled we will be ready to sit with you, gentlemen, and come to an agreement.

Q. Thank you, I think that is a very good contribution. Now, in your brief you point out in several places, or at least in one place, that motorists are using your roads in many places without permission.—A. Well, they have permission in a way, as I have stated before. The permission has been granted through the Indian department without the consent of the band nor the council when the provincial roads go through the reserve. We cannot stop them. That is their part of the story. We think differently and we have tried but we cannot stop them; that is what we mean. These people go at excessive speeds, fifty-five to seventy-five miles an hour through these towns. They cannot stop in a safe distance and they run over our children and cattle and everything that crosses the road. They have no respect at all for humanity.

Q. There have been actual fatal accidents and very serious ones?—A. Yes.

Q. Within the past year?—A. Within the past year a grandchild of the former chief councillor, a daughter of Louis Delisle of Caughnawaga, was run over by a truck going too fast, which could not stop in time because the brakes were no good. These motorists seem to enjoy splashing the Indians, especially in the spring. You go there and try and stop them and call for the Provincials but they do not come and they tell you they have no jurisdiction whatsoever on the reserve. Why do they call these roads provincial if the province has no jurisdiction? Are we cattle? Are we animals? We believe we are just as human as you people and we believe we should get the same protection as you do.

Q. I think you will find most of the members of this committee will agree with you. You said the Indian agent and the other people on the reserve have over-ridden the Act to give away property without consent of the band. Can you think of any instance which you could give this committee?—A. At Caughnawaga, James Delormie cut out a plot for himself, by mutual agreement with the agent and Commissioner Taggart without the consent of the band. It came before the council but the council voted it out because the man had owned property. He was owning property at the time of the application. Only men without property are eligible for a quarter acre grant on our reserve. We are trying to be fair with everybody and only those who have not got anything will be granted land in Caughnawaga.

Q. You talk about people who operate a movie house, dance hall, and school-room on your reserve?—A. That is right.

Q. Has your band got any control over the granting of those licences in your village?—A. No, none whatsoever.

Q. Has the band not even been consulted with regard to this?—A. No.

Q. Does any revenue accrue out of those institutions?—A. None whatsoever.

Q. They just put the building up and rent it?—A. Everything is free as far as that goes but it is to the red man's expense. The same is true when they built the Mercier bridge. The land on which it stands to-day was given away as far as the band was concerned. We never saw or received one cent of compensation for it. That is the same as the other instances.

Q. Was the band not consulted with regard to the granting of the land upon which the Mercier bridge was constructed?—A. They were consulted



but we have a funny way of carrying on business, especially with the councillors that came before a few years back. The majority of the people at that time could not understand English very well and so the educated ones are permitted to go ahead and tell any kind of a story they want to the other people just to get their consent. We get one kind of story when actually it is another story.

Q. Have you a day school on that reserve?—A. We have.

Q. Non-denominational?—A. No, there is a Catholic school with teachers of what they call the Sisters of Ste. Anne, and there is a Protestant school there with qualified teachers. They only have two there. The practice of the Protestant school is even better than the Roman Catholic because the pupils from the Protestant school seem to advance a lot faster when they go out to the high schools in the adjoining communities.

Q. You say then that there would be more students who would graduate to the high school from the day school than from the residential school?—A. That is right.

Q. In proportion to the number?—A. Yes.

*By Mr. Case:*

Q. In other words, you would be in favour of a public school system?—

A. Yes, non-denominational schools for children of any religion. Everybody will be equal.

Q. Do you live on the reserve yourself?—A. That is right.

Q. Where do you make your living?—A. I make my living in Ville LaSalle just outside of the reservation.

Q. Without referring to your self specifically what would be the average earnings of an Indian who worked off the reserve? Can you give me any idea?—A. Between \$1,700 and \$2,200 per year.

Q. And earning that amount of money you still feel you should not pay income tax?—A. That is right.

Q. Yet you must recognize that you are occupying a position that another man who would pay taxes could occupy?—A. That is right.

Q. In reply to Mr. Richard you said you believe there is a possibility of you setting up a nation within a nation?—A. That is right.

Q. Then it would necessarily follow you would be required to live on your own reserve because there is such a thing as immigration laws?—A. Yes.

Q. So you would have to earn your living on the reserve?—A. Yes, but there is also another question. My people being the real original Americans you cannot put boundary lines for them in the United States or Canada. We are free to wander as we wish on this continent.

Q. You are now, but if you want to set up a separate state, my friend, you are going to face a different situation because you become a self-governing little nation within a nation?—A. Yes.

Q. And are you subject to tariff laws, tariff restrictions the same as we are?—A. We are abiding by our treaties. We only ask you people to keep up your end.

Q. Do you not think we have done something to compensate for some of the things that might have been overlooked? For instance, there are family allowances, and this committee has already made a recommendation with respect to old age pensions.—We do not believe in family allowances or old age pensions.

Q. Then you are prepared to say to me you do not think you have made any progress because you have learned English ways and habits?—A. No, we do not say that, but we have not made any progress when we have been governed by the Indian department under the Indian Act. We are still hundreds of years behind. We want to keep up with you people in the same things you know like you people. Give us a chance. You have not given us a chance. That is what is wrong.

Q. Sometimes I think you are really out in front of us because after all is said and done you still have a great advantage we have not got. For instance, for the privilege of living in my own home I pay between \$200 and \$300 so I may occupy my home. I also pay teachers' salaries and the upkeep of roads and all that sort of thing. I think you are really in front of us if you would just examine the thing carefully.—A. In a way now, but what does the future hold?

Q. I know the future is an unknown quantity for any one of us. Referring to what you have said about income tax this country has gone very heavily into debt. We made certain compensations to you. We have had to spend vast fortunes, billions upon billions of dollars, and along with your brothers' and my brothers' blood we have fought to save this country. If we had not saved the country I wonder who would be governing to-day.—A. Do you know why my brothers went and fought and spilled their blood?

Q. Because they believed in British justice.—A. To fulfil the peace treaty, to show you people we can live up to treaties. We expect you to live up to the treaties. That is the point. We are willing to spill our blood any time for you people as long as you fulfil your end.

Q. I do not know but what you may be expecting something beyond the treaty. For instance, I doubt if you could carry on. To Mr. Farquhar you said that your own constitution had been disregarded by your own council. The Indian Act did not require you to disregard your own constitution.—A. Why did they put out the Indian government at the Six Nations reservation in Brantford?

Q. Why did you allow these concessions on your reserve when you had a constitution that said it should not be? That is the representation that was made here today, that the houses were not to be rented, and so on, and yet they were rented?—A. They were rented.

Q. So you disregarded the constitution?—A. Through fraud as it has been done in the past. I will bring up an example. If you went to a foreign country and got yourself an interpreter for any business that you transacted that interpreter could tell you anything, a different story altogether, and if you go ahead and sign that agreement without knowing the contents of it are you going to blame yourself or the interpreter?

Q. You are saying to me now that it was never properly interpreted under your own constitution?—A. No, under our own constitution we know that we still have what they call the Six Nations government. We have our hereditary chiefs. They are in complete accord with the councillors. They are just waiting for the Indian Act to go out. These councillors do not want the Indian Act. They do not want to be an elected council under that, but they realize they must go on for the time being until the time comes for us to be free again.

Q. But bear in mind that the Indian Act still provides you with some protection as well, and we are here to try to revise it to make it more favourable to you and yet you come before us and say you do not want the Indian Act. By what method do you want to be governed within the Dominion of Canada?—A. We are going to govern ourselves according to our constitution.

Q. Then you cannot have it both ways.—A. Like we did before your government ever came into being.

Q. Of course, I have read a little bit of history, too. I can tell you that they would never have had a railroad across Canada if the Indians could have stopped it, and that was progress.—A. We had the first really democratic government, and that is what we want.

Q. Of course, there might be a difference of opinion, but I am not going to argue. I am going to ask you this question. You are elected?—A. I am an elected councillor.

Q. How often are you elected?—A. Every year.

Q. What time of the year are your elections held?—A. In January.



Q. About how many people would vote in relation to your total voting population?—A. I would say that about three-quarters of the people of Caughnawaga are non-voters.

Q. Are non-voters?—A. They do not believe in voting.

Q. I wonder why that is?—A. Because they do not believe in the Indian Act. Just like the people of Oka they do not want elected councils.

Q. So whatever votes you did receive you received from about 25 per cent of the possible electors?—A. Yes. We are representatives here at the present moment because we held a band meeting. This is approved by the band and the Six Nations grand council. That is why we have the hereditary chiefs here. We have everybody united. That is why we are not afraid when we say to you, "Why do you not come down to our reservation and find out for yourselves?"

Q. There might be some point in what the gentleman said this afternoon that they may represent a large body of that 75 per cent who do not vote?—A. We are willing to take that chance.

*By Mr. Lickers:*

Q. Are there any children on your reserve who have no school to go to?—A. Yes.

Q. How many?—A. That is hard to say, but maybe it is because they do not want to go to school. I had better put it that way, because there is discrimination in our schools.

Q. There are schools there but the reason why they do not attend is because they do not want to go?—A. Because there are only Protestant and Catholic schools and these people belong to what they call the aboriginal religion. They are always called down for that and these children cannot take it so naturally they stay home.

Q. How many people would belong or adhere to the old aboriginal beliefs?—A. That is why I want you gentlemen to come down there and put that question before the people. We will have our people before you and let them decide. I know you won't believe me when I say the majority, 98 per cent will want that, and they are for it.

Q. How many people still adhere to the aboriginal belief?—A. For the time being a small group.

Q. Ten per cent?—A. Oh, about 20 or 25 per cent.

Q. And what would be the percentage of Roman Catholics?—A. That is hard to say. The Roman Catholics are supposed to be in the majority, but in our case religion and the affairs of the reservation do not mix. We do not want that. That is why we do not get along with the present Jesuit society. That is why in our brief here we have protested against this society. They are trying to encroach on our rights by trying to run our business affairs. We believe the only business for them is to carry on their spiritual teaching inside the church. Do not bother with the outside and we will not bother with their business. In other words, I mind my business as long as you mind yours.

Q. Do you have any Catholics belonging to your organization?—A. Yes.

Q. Many?—A. Yes.

Q. According to the 1944 census there were then 3,010 on the reserve and there are 2,682 listed as Roman Catholics?—A. That is right.

Q. 251 as United Church and only 77 who adhere to the original belief. Would that be a correct figure?—A. That is right, but religion has nothing whatsoever to do with this cause. We are all united for one thing, our freedom, just like you people have fought for your freedom. We want our freedom, too.

Q. I am an Iroquois the same as you are. In connection with schools do the members of the Roman Catholic church not want a denominational school?—A. We all want a public school.

Q. Under church auspices?—A. No.



Q. I am talking about the Roman Catholics?—A. I say no for the Roman Catholics, too. That is why I ask you gentlemen to go over there and bring that question up. We will throw it open to the public and let them decide for themselves. I do not want to sit here and act as if I was a liar. Find out for yourselves. That is what you are here for.

Q. You say your brief was passed by the Six Nations grand council?—A. Yes.

Q. Whereabouts was that passed?—A. That was passed at the Onondaga reservation.

Q. Over in the United States?—A. Yes, with representatives from Canada.

Q. Who was the chief of the Six Nations Confederacy there?—A. I am sorry to say I did not attend that meeting myself. I was not elected for that. There were men elected. This brief was presented to them and it was approved by them. That is why they picked two representatives to come down here with us to-day. We have two representatives over there, sitting at our table.

Q. I want to get that a little more fully later. The chief and your council attended this meeting?—A. The chief, that is right, the hereditary chief.

Q. Perhaps then he could tell me who was the head chief at that council?—A. I believe you had better ask the chief from the Onondaga reservation.

Q. Who acted as the head chief at the Six Nations Confederacy?—A. You had better ask him who was head chief at the time.

Q. Was not your own chief there?—A. Yes.

Q. Perhaps he could tell me?—A. He says Levy Green.

Q. Where is he from?—A. He says the Onondaga reservation.

Q. That is over in the United States?—A. Yes, but we had representatives there from all over Canada. The Six Nations Indians attended that meeting.

Q. Do you know who called the meeting of the Six Nations Confederacy at that time?—A. No, I would not know. After all, I am not a chief.

Q. I just want to clarify the Caughnawaga status.—A. Yes.

Q. You broke away, at least the Mohawks left the New England states and came to settle on the present reserve at Caughnawaga, did they not?—A. That is right.

Q. That would be about 1667?—A. Thereabout.

Q. And at the time of the Seven Years War, they sided with the French?—A. Yes.

Q. The Six Nations themselves sided with the British?—A. That is right.

Q. The French were defeated?—A. That is right.

Q. To Mohawks, the Caughnawagas, then would be a defeated nation?—A. They were not defeated for the simple reason they were united to the mother Six Nations.

Q. But they fought on the French side?—A. The French were probably a beaten and conquered nation, but our nation was not conquered and they never were.

Q. I know the Six Nations themselves were not?—A. I am talking about the Caughnawaga Indians.

Q. Yes, but they were on the side of the French?—A. They were on both sides.

Mr. CASE: You could not lose a war that way.

The WITNESS: You know the history.

*By Mr. Lickers:*

Q. Yes, I know the history.—A. They were on both sides. They could not lose. One side had to win.

Mr. RICHARD: They were good politicians.

*By Mr. Lickers:*

Q. In any event, after the war was over and after the American revolutionary war was over, the Six Nations themselves came and settled at Brantford. Could you tell me whether, I imagine it would be something handed down from chief to chief, at that time there were any representatives or chiefs from your reserve who attended the grand council meetings at Brantford after the Six Nations came there?—A. Yes, from year to year.

Q. Before the Six Nations, as you say, had the elective council forced upon them in 1921 or 1922, up until that time, did the Caughnawaga Indians send down chiefs to attend the meeting?—A. They were doing it even after that, as they are doing it to-day; regardless of whether you recognize them as chiefs or not. They are still doing it to-day.

Q. Then, were they parties to the Fort Stanwix treaty of 1784?—A. I could not truthfully say.

Q. That is a very important treaty so far as Indians are concerned? I wonder if your chief knows whether they were a party consulted in connection with the Fort Stanwix treaty?—A. He says it does not clarify there whether it is Caughnawaga Mohawks or other Mohawks. A Mohawk is a Mohawk, isn't he.

Q. There is quite a difference?—A. There is no difference. A Canadian is a Canadian and a Mohawk is a Mohawk.

Q. That is until the end of 1667 when the Mohawks from there came up and sided with the French; that is so far as the Iroquois are concerned.—A. Yes, as I told you before, they fought on both sides like every one was doing, the rest of the Six Nations. They sided with the Americans and they also sided with the British. How do you account for that? Still, they were united within themselves.

Q. Now, coming down to the land itself. So far as your own reserve is concerned that was originally given to the Jesuits, was it not; at least, the original grant?—A. According to General Gage's judgment.

Q. Yes, it was given to the Jesuits in trust for the Mohawks?—A. In trust for the spiritual guidance of any band.

Q. That is set out in General Gage's judgment of 1702?—A. Yes, for spiritual guidance; that does not mean the Jesuit Society owns the reservation. According to that judgment the Indian is the owner and the sole owner until the last Indian leaves that reservation, when it reverts back to the Crown.

Q. Then, you come down to the Royal Proclamation of 1763. Is not that where your treaties end?—A. There is somebody behind this, an international attorney who has given us advice in regard to this. You probably know by the newspaper reports that we tried to get in at the United Nations Assembly.

Q. He must have given you some wrong advice?—A. If we cannot come to a complete agreement with you, then perhaps they will take up our case but we have to try to come to an agreement with you first.

Q. You must have been given some wrong advice because you are quoting from the Northwest Angle treaty of 1873 which does not affect you at all?—A. There is no wrong advice. You have those treaties at your disposal. You should study them.

Q. Yes, and I have made a study of them.—A. You should get some knowledge of these people—

Q. I am an Indian?—A. I know, but you work for the government.

Q. I am not working for the government at all.—A. You must prove yourself, first.

Mr. CASE: I think in fairness to the solicitor it should be stated he is here in the interests of the Indians as well as the committee.

*By Mr. Lickers:*

Q. I am only trying to clarify your position so far as the treaties are concerned because my information is this; at any time when the Six Nations council came down before the government to put forth their grievances to the government, they would not recognize the Caughnawagas or the Okas as part of their confederacy for the simple reason they came here before the French conquest and they, the Six Nations, looked upon the Caughnawagas and the Okas as being a conquered people as of 1763.—A. The Mohawks were around Montreal.

Q. Yes?—A. Wasn't that their hunting ground?

Q. Yes.—A. Wasn't it only natural for them to be in that part of the country?

Q. If that was so, why would they have to get a grant from the Jesuits? Why was this grant given to the Jesuits on their behalf?—A. It was not given to the Jesuits, it was given to the Indians. It is plain enough as General Gage stated it.

Q. The Caughnawagas, the Okas and the St. Regis are pressing the same points so far as their treaties are concerned, is that correct?—A. That is correct.

Mr. CASE: I wonder if I could ask one more question, Mr. Chairman?

The CHAIRMAN: With the unanimous consent of the committee.

Agreed.

*By Mr. Case:*

Q. There was some discussion this afternoon about other briefs presented here and I asked repeatedly who called that meeting. They said the people. I should like to know if you know anything about the calling of that meeting or did you hear about it?—A. No, I did not.

Q. So you do not know anything about it?—A. I do not know, nor does the council.

The CHAIRMAN: Gentlemen, we want to thank you very much for your attendance here before this committee. We now desire to proceed with other witnesses.

Mr. CASE: I think I should like to compliment this gentleman, as a rather able fellow. We have appreciated your evidence, even though we do not altogether agree with it. You have done a good job.

Mr. CASTLEDEN: I think, Mr. Chairman, the members of this group would be very proud to meet on an equal footing with the man who has presented this brief, and his fellow men.

The WITNESS: That is why we have invited you people to come down and see for yourselves. If you can prove us wrong, we are willing to admit defeat.

*By Mr. Lickers:*

Q. I should just like to ask one more question. Would your group be agreeable to an Indian claims commission being set up to make some definite agreement as between the Caughnawagas and the government to settle all the grievances?—A. Well, I am not authorized to decide. That is entirely up to the council. After all, if I give you an opinion now that would only be my opinion. Is that any good?



*By the Chairman:*

Q. Would you like to give your opinion?—A. I do not give my opinion without the consent of my people. I do what my people tell me to do, regardless of the consequences. I am a willing and faithful servant of my people.

*By Mr. Case:*

Q. A claims commission or a tribunal of that kind would seem to be the reasonable approach?—A. Maybe.

Q. It would give you something to which to appeal?—A. Yes.

*By Mr. Lickers:*

Q. I wonder if your chief would like to give an opinion on that?—A. On the claims commission?

Q. Yes.

*By the Chairman:*

Q. First of all, tell him what a claims commission is.—A. He says fulfil the obligations first and then we will meet you on even terms; that is his opinion. I believe you will find that is the majority opinion of the Six Nations. We may be wrong, but you can find out for yourselves.

*By Hon. Mr. McKeen:*

Q. Could you not go before this claims commission and set up before them claims which you have, or which you think you have under the treaty? You say you want the treaties fulfilled. Who is going to say what should be fulfilled? Is it not the claims committee which will decide?—A. I think so, probably.

Q. We are discussing treaty rights. All we can do is report to parliament. The claims commission would have the right of reporting definitely on the terms.—A. Offhand, I would say—without any authority to speak for my people—that there is no alternative, there is no other way but to meet the claims commission.

Q. That is their purpose as I understand it, Mr. Chairman. The claims commission will meet with you and you will tell them what you think you should get under these treaties and discuss that with them.—A. We don't want any more than what we believe is ours by right of these treaties. All we want is a place we can call our country, just like you call Canada your country. That is the only place that we have left that we can call our own country. That is all we ask.

Hon. Mr. McKEEN: My position as a member of this committee at this time is this: I have heard what you want. I think this claims commission or committee, should be the one to hear what you want; they should get together with you and make some decisions. I think that is the way to decide it.

The CHAIRMAN: You see, what we are doing, Matthew, is trying to find out all we can so we can report back to parliament. We might, we do not know that we will, but we might consider the possibility of recommending to parliament that it set up a commission which will find out what your claims are, and to discuss these questions for the purpose of helping you. Of course, you know that you cannot live unto yourself in these days, you cannot live in your own home.

Mr. CASTLEDEN: And the treaties overlap.

The CHAIRMAN: Yes, the treaties overlap. This old world these days is getting pretty small.

The WITNESS: Yes, it is very small.

The CHAIRMAN: And none of us can live unto ourselves. You cannot make a living on the reserve.

The WITNESS: We didn't think of that.

The CHAIRMAN: You have got to get out into the other parts of the world to make a living. For instance, on your reserve you more than any other group of people on the American continent are experts in the erection of the huge skyscrapers such as we have in New York and Montreal, our big bridges and skyscrapers; you are experts in structural steel work, the outstanding experts of the American continent. You cannot build anything on your reserve. You have got to get out and spread around amongst other people.

The WITNESS: We have got to mix.

The CHAIRMAN: Sure you have. We are trying to make a recommendation to help you.

The WITNESS: But we want to be Indians while we are on the reserve, but we cannot live entirely to ourselves, we have to get out somewhere else as well.

The CHAIRMAN: Now, we are all agreed. I think that this committee is very conscious of that fact, and are certainly trying to do their utmost to bring that about.

The WITNESS: After all, you realize that there are silly laws, laws such as stopping the Indian from drinking. After all, we know that there are other nationalities—it is not only the Indians. I do not see why there should be discrimination against the red men.

The CHAIRMAN: We will do all we can to eliminate some of these discriminations.

Mr. CASE: Do you think the Indians should have a permit to purchase liquor?

The WITNESS: I would say it would be up to the discretion of the council. Whatever they decide, I am for that.

The CHAIRMAN: In other words, you want self-government?

The WITNESS: Yes.

The CHAIRMAN: I think we are prepared to recommend in due course that you be given a greater degree of self-government, but you must realize what we are trying to do is to make it applicable in British Columbia and down in Nova Scotia as well as in every place in between.

The WITNESS: We don't want any Indian Act for the simple reason that you may put in 18 sections that are for our benefit and you may couple it up with a couple of hundred sections that just hedge us in. It shouldn't be called an Indian Act.

The CHAIRMAN: You can call it whatever you want to call it, but we have to make some provision by law which will be a means of raising the level of living among your people.

The WITNESS: We have got to come to an agreement that will last for all time. We don't want to be coming back here every year or so.

The CHAIRMAN: I think we are getting on common ground very quickly.

Mr. CASTLEDEN: We cannot come to an agreement until there is mutual trust. We must meet around the table as equals before we can have that trust.

The WITNESS: And him you trust, him you believe.

The CHAIRMAN: Of course it is not just meeting around the table either. Trust is the everyday actions of one man to another and the qualities of sincerity, fairness and justice.

The WITNESS: That is what we are asking for.

The CHAIRMAN: You cannot get those around the table all the time. When you get your feet under the table, you sometimes forget those qualities. However, now we are getting into a long discussion of psychology and other matters which I do not think are pertinent to the subject before us.

I want to thank you, chief, for your attendance here to-day and for the assistance that you have given us; and you, Matthew, I want to thank you for the very able presentation you have made. I also want to thank all the members of your delegation present for coming here to-day to give you the very able support which they have given you. I also want to thank Chief Mike Montour and Mr. Small Fence for their assistance here to-day.

The WITNESS: Mr. Chairman, on behalf of the elected council, the hereditary chiefs and the band, also on behalf of Chief Montour, Mr. Small Fence and of myself, I wish to thank you for having given us so much of your valuable time.

The CHAIRMAN: Thank you.

Gentlemen, it is about eleven o'clock. We will meet to-morrow at 11 a.m.

The committee adjourned at 10.55 p.m. to meet again to-morrow, Friday, June 13, 1947, at 11 a.m.

#### LIST OF APPENDICES

APPENDIX GA—Brief, in French, of the Bersimis Agency, will be printed later.

GB—Brief of Special Brief Committee, Caughnawaga.

GC—Submission, dated June 30, 1944, from the Indians of Oka, Lake of Two Mountains.

GD—Brief, dated October 24, 1946, signed by James Montour, in behalf of Iroquois Tribe, Lake of Two Mountains.

GE—Brief, in French, presented by Chief Charles Nolette of Pierreville Agency.

GF—Brief, dated December 2, 1946, from legal representatives of the Iroquois of St. Regis Band.



## APPENDIX GB

### A BRIEF

Prepared and submitted by and on behalf of the Iroquois band of Indians of Caughnawaga to the Special Joint Committee of the Senate and the House of Commons appointed to examine and consider the Indian Act by a Special Brief Committee chosen and elected by the Caughnawaga band of Indians at a band meeting held in Caughnawaga on May 26, 1947.

### INTRODUCTORY

The present brief is respectfully submitted to the Special Joint Committee of the Senate and the House of Commons appointed to examine and consider the Indian Act, Chapter 98, R.S.C., 1927, and amendments thereto, for and on behalf of the Iroquois Indians of Caughnawaga, Province of Quebec, by the undersigned 'Brief Committee' who were chosen, elected and requested to do so at a regularly called *Meeting of the Caughnawaga Band* held in Caughnawaga on the 26th day of May, 1947.

Throughout this brief, it will be noted that certain subjects discussed will apply to Caughnawaga alone and other matters will apply to all Indians generally.

### II

#### *Miscellaneous*

During the presentation of this brief, one or two of the undersigned will orally present views on following questions if possible and if time is available:—

1. Half-fare railway privileges for Indians;
2. Identification cards for the Indians of Canada;
3. Association of Indian Guides for the protection of Game and forests.

### III

#### HISTORICAL BACKGROUND

Caughnawaga is an Iroquois Indian Village in the County of Laprairie, Province of Quebec, situated on the south shore of the St. Lawrence River opposite the City of Lachine and is about 10 miles from the Canada's Metropolis, Montreal. The name is an Iroquois word meaning "village of the rapids". The village was founded in 1667 as a refuge for the Iroquois converts who, in their native country (now the State of New York) were persecuted by their pagan brothers. The Village was founded for the said Iroquois converts just as Lorette and Sillery had been founded for the Hurons and the Algonkins a few years before. The present site of Caughnawaga was finally chosen in 1719 after several migrations from the original village called "Kentake" (La Prairie).

The Caughnawaga Indians have contributed to the colourful pages of Canadian history. They fought on the French side during the Seven Year's War and on the British side in the War of 1812 and covered themselves with glory at the battle of Beaver Dam, in Upper Canada; and they helped to suppress the rebellion of 1837 in Lower Canada.

A Contingent of them went on the Egyptian Expedition in 1884 for the relief of Khartoum under Lord Wolseley.

Reverend E. J. Devine, S.J., in his well known and popular book "Historic Caughnawaga" states that

Throughout the French Regime, the Caughnawaga Indians were loyal allies of the King and docile children of the Catholic Church.

After the cession of Canada to England in 1763, they held fast to their faith, but yielded entire allegiance to the British Crown.

The Reservation extends about eight miles along the St. Lawrence River and about four miles inland. The present population is about 3,000 inhabitants.

While farming occupies a number of the Indians, many more are employed as steel workers throughout the United States and Canada and in the factories in and around Lachine which is just across the river. A natural sense of equilibrium makes them valuable workers on high buildings and bridges and other high modern construction and, in such work, many of them are obliged to spend months away from their homes each year.

Among the women, Indian beadwork, basketmaking and weaving are common home industries.

Approximately 90 per cent of the Indians adhere to the Catholic Faith.

#### IV

#### EDUCATION

##### (a) *Schools in Caughnawaga*

At the present time, there are Catholic schools for Catholic children and Protestant schools for Protestant children. This system has been in existence and has been in operation for a considerable number of years. Almost 90 per cent of the total population of Caughnawaga Indians belong and adhere to the Catholic Religion and, throughout a period of 280 years, have benefited from the guidance and supervision of the Religious Authorities as afforded under the present set-up of the Provincial Department of Education of Quebec. It was in this same spirit also that some 50 years ago, a separate school was erected for the Protestant minority. The development and progress of the Indians of Caughnawaga can be attributed in no small degree to the guidance and spiritual protection of the Reverend Fathers of the Society of Jesus and other missionaries.

From experience obtained throughout the passing of the years, the system has worked out admirably and it is the sincere hope and desire that no change or alteration should be introduced into the Indian Act which would do away with the system in operation. Consequently, the Indians of Caughnawaga wish to re-iterate and confirm and adhere wholeheartedly to the representations and suggestions made by the Catholic Hierarchy in their "Brief" presented before the Special Joint Committee on May 27, 1947, on the question of "Education" and particularly endorse the request as appears in the said "Brief" at page 3, paragraph 2, which reads as follows:—

We would not wish, therefore, any change in Section 10, paragraph 2, of the Indian Act, which reads

Such schools shall be the nearest available school of the kind and no Protestant child shall be assigned to a Roman Catholic school or a school conducted, and no Roman Catholic child shall be assigned to a Protestant school or a school conducted under Protestant auspices.

(b) *Higher Training and Education.*

We are aware that the Government of Canada in close co-operation with the Indian Affairs Branch is earnestly endeavouring, with all the means at their disposal, to develop the well-known attitudes of the Indian by introducing subjects and training which would be most beneficial to their intellectual and economic development. For this, we wish to express our sincere appreciation to all government officials for their fine efforts and accomplishments. However, if we may be permitted to suggest, we respectfully and strongly urge all those who have it in their power to safeguard our Christian heritage as well as improve ways and means of attaining higher education to do everything within their power and authority to expedite the reconstruction of our Roman Catholic Senior School Building, which was totally destroyed by fire on December 10, 1941, the reconstruction of which has been promised ever since but without any result. Under present conditions, it is practically impossible to hope for any success in the education of our people. We realize that wartime economy and other conditions brought by the last conflict have created a problem for the Government, but we sincerely hope that our present class-room shortage will be remedied without undue delay, and that immediate consideration will be given to the reconstruction of our school.

(c) *Male Teachers for Higher Grades for Male Pupils.*

The teaching in our schools for boys and girls has been conducted by and under the supervision of the Reverend Sisters of Ste. Anne who are doing an admirable work and who have dedicated their lives to and given their talents for the education of our boys and girls. It is the sincere desire of the Indians of Caughnawaga to retain the Reverend Sisters to teach and instruct the children as admirable results have been achieved in the field of education.

However with regard to the education and teaching of male pupils in the higher grades of our Catholic schools, it is the unanimous wish and desire of our reserve to have older boys taught by male instructors and the suggestion is that such teaching be conducted by Teaching Fathers or Brothers assisted, if need there be, by any capable and qualified men lay teachers.

(d) *Gratitude to the Indian Affairs Branch and Suggested Policy.*

A number of our boys and girls have distinguished themselves in higher education and have achieved a fair degree of success. Such higher education was made possible through the kind aid, assistance and encouragement of the Indian Affairs Branch without which aid and assistance the attainment achieved might not have been possible; and we wish to express our sincere appreciation and gratitude to the officials of the Branch who have helped those who worked and strived for higher education after leaving the schools in Caughnawaga. We trust and urge that the same policy be not only continued but, if possible, amplified in order to encourage our boys and girls to attend High Schools, Colleges and Universities, by providing them with sufficient financial assistance.

(e) *Minutes of Meeting of the Caughnawaga Band held on May 26, 1947.*

In connection with all of the foregoing, it is considered and deemed proper to set forth herein at length the following Minutes of a Meeting of the Caughnawaga Band held on May 26, 1947. Certified Copy of such Minutes was presented and filed with the Special Joint Committee in Ottawa on the 27th day of May, 1947, by the undersigned signators to this Brief.

Minutes of a Meeting of the Caughnawaga Band of Indians, duly and properly called, at the Kateri Tekakwitha Hall, in Caughnawaga, on May 26, 1947, at 8 p.m.



The Indians attending chose Mr. Tom Lahache as Chairman, who acted as such throughout the Meeting; and chose Mr. L. E. Beauvais as Secretary.

After preliminary explanations, as to the purpose of the Meeting—that is, to discuss the question of Education for the Indians, particularly as regards denominational schools and non-denominational schools for Indians, and after a lengthy discussion by various speakers on Section 10 Sub-section 2; Section 100, Sub-sections 2 and 3, of the Indian Act, it was unanimously decided by all Members of the Band present, as follows:—

1. That the Sections of the said Indian Act, above quoted, namely—Section 10; Section 100, Sub-sections 2 and 3, should remain as they are.

2. That no change in the Indian Act should be made which would prevent Catholic parents from sending their children to Catholic schools.

In answer to the following question:—“Where do you want your children, or grandchildren, to go to school?” Each Indian present answered that he, or she, was in favour of denominational schools, that is to be able to send children to the school of their own faith.

It was also unanimously decided to request and urge the Indian Affairs Branch of the Department of Mines and Resources to adopt a policy of assisting and aiding Indian boys and girls to pursue studies in the High Schools, Colleges, and Universities of the country, and that proper and sufficient financial assistance be given to such Indian Students by the Department.

Caughnawaga,

May 27, 1947.

(Signed) L. E. BEAUVAIS,  
Secretary.

## V

### DISPOSSESSION OF CAUGHNAWAGAN INDIANS OF THEIR RESERVE TO BE VIGOROUSLY OPPOSED

The Indians of Caughnawaga were and still are extremely concerned and surprised at a statement made by the Honourable Mr. Senator Dupuis before the Special Joint Committee on June 18, 1946, regarding the dispossessing of the Caughnawaga Indians of their land for the benefit of “white people” who would divide such land up into farms and cultivate it and his question as to when the land will be available for those who want to use it for farms. His statement, as appears in Book 6, Minutes of Proceedings and Evidence, Tuesday, June 18, 1946, at page 256 thereof, reads as follows:—

Hon. Mr. Dupuis: Now, dealing with the land of Indian bands. I have in mind the Caughnawaga land near Montreal, a property which embraces about 300,000 acres of land all of which is good farm land. The Indians on that reserve are not farmers at all but white people could take that land, divide it up into farms and cultivate it. I know that this question has been brought up before the Department of Indian Affairs many times with the idea of dispossessing the Indians of the Caughnawaga Reserve of this valuable agricultural land, which, as I say, is very close to Montreal, just on the other side of the river. I wonder if there would be any possibility of this committee, or the proper authority, saying when the land will be available for those who want to use it for farms.

As the matter may be brought up later on and discussed, it is considered proper at this time to state that, as far as the Indians of Caughnawaga are concerned, the land will never be available; and the Indians of Caughnawaga will vigorously fight and oppose any action, petition or any other proceeding instituted or made to dispossess them of land which is legally and rightfully their property. The people of Caughnawaga feel that the Special Joint Committee should come to the protection of the Caughnawaga Band in the event of any attempt whatsoever to dispossess them and that proper recommendation should be made now to assure them that no dispossession will be possible unless it be with the consent of every man, woman and child of the Band concerned.

## VI

### BAND MEMBERSHIP

Section 18 of the Indian Act reads as follows:

18. The Superintendent General (Minister) may, from time to time, upon the report of an officer, or other person specially appointed by him to make an inquiry, determine who is or who is not a member of any band of Indians entitled to share in the property and annuities of the band.

2. The decision of the Superintendent General (Minister) in any such matter shall be final and conclusive, subject to an appeal to the Governor in Council.

What is conspicuous about the foregoing section is the fact that the Band concerned is given absolutely no power or authority in the matter of determining who is or who is not a member of a band of Indians. Inasmuch as a person may be expelled or admitted from and into a Band, it is considered that it may be prudent to obtain the *consent of the majority of the Band* concerned before any admission or exclusion is pronounced upon. The Band should have some say in the matter and the person affected should also have some say in the matter as it is possible that some injustices would result.

The consent of the Band should not be the ordinary consent mentioned in section 158, it should be the consent of the majority of the Band itself and not the consent expressed by the Chiefs or Councillors. If there be need, section 158 should be amended.

In any event, and in all cases where the consent of the Band is required, section 158 of the Act should be amended in such a way that the consent of the chief or councillors cannot be construed as being the wishes and consent of the Band.

## VII

### ASSISTANCE AND AID TO INDIANS

#### (a) *Loans for Homes and Repairs.*

Section 94b of the Indian Act provides for the granting of loans to Indian Bands, group or groups of Indians or individual Indians for the purchase of farm implements, machinery, live stock, fishing and other equipment, etc. The aim and purpose of this section is to assist the Indian or Indians and is very commendable. However, in view of the fact that there are many Indians without homes of their own, it is believed fair and just that the said section 94b should be amended in such a manner as to enable an Indian to obtain a loan for the purpose of building a home for himself or family or to repair or to remodel a home.

It should be pointed out here that it is virtually impossible for Indians to obtain loans from any bank or loan institutions because of certain existing provisions of the Act relating to unseizability of the property of the Indian,

and, naturally, the banks or loan companies are very reluctant to advance loans. This situation hampers the progress of the Indian despite the fact that he may be ambitious, industrious and progressive. In addition to being unable to obtain loans as aforesaid (unless he has adequate collateral or securities in which event he does not need a loan), he often finds that he cannot obtain credit for the materials which he requires for his purpose.

If provision were made for him to obtain loans for the purposes hereinabove set forth or for any other worthy purpose, it would be a step in the right direction and would materially assist him.

(b) *Needy and Indigent Indians.*

In the cases of needy and indigent Indians, adequate and sufficient food, clothing and fuel should be given. The relief given to Indians in the past has not been too generous at least on the Caughnawaga Reserve. In fact the amount given has been ridiculously low, the average monthly allowance per person being anywhere from \$2.50 to \$6.00.

The constant and rapid rise of prices for food and essentials of life is another good reason why more relief should be given to those Indians who, through old age, sickness or poverty, are unable to provide for themselves or their families.

(c) *Preference to Qualified Indians for Jobs.*

With the exception of a few Indians in the Civil Service of the Government, there are practically none employed, at the present time. One of the main reasons is that, although there have been many qualified Indians who have made application for clerical, stenographic and other jobs with the Government, they have very little or no political connections to assist them in securing jobs they seek. There are many qualified and educated Indians, but many obstacles are put in their way in connection with securing jobs in the Civil Service. They should be encouraged by the passing of some appropriate legislation giving preference to qualified Indians seeking jobs in the Department of Indian Affairs. This would result in more co-operation and confidence between the Indians and the Government and would tend to clear up a lot of misunderstandings.

(d) *Medical Assistance.*

While the medical care and assistance given to Indians on the Caughnawaga reserve is good, still it is considered insufficient and inadequate for a population of about 3,000 people. There is only one hospital on the reserve and very often Indians in urgent need of hospitalization are required or forced to wait until a vacancy occurs in the said hospital or until the local medical doctor is ready to give his consent which is often arbitrarily refused.

There is only one medical doctor in the employ of the Department of Indian Affairs. It is respectfully suggested that one doctor is insufficient to care for the whole population. There should be one or two additional doctors and the Indians should be given the right to go to the doctor of their own choice instead of being obliged to go to the only one on the reserve. It is regrettable to state but nevertheless it is true that there are some Indians who have no confidence in the present doctor and, as a result, they either are obliged to go elsewhere at their own expenses or not receive any medical assistance at all.

In addition to hospital and medical assistance, it is felt that one or two dentists should be appointed for the care of the Indians both young and old.

Any additional doctors and dentist who may be appointed should be required to live on the reserve so that their services may be readily available in urgent cases which are bound to arise. Experience has shown that it is much



better and more convenient to have the doctors residing on the reserve than outside the reserve in which latter case, it has often proved difficult and, at times, impossible to obtain medical care and assistance when required.

## VIII

### ADEQUATE COMPENSATION FOR EXPROPRIATION OF INDIAN LANDS

The occasion arises and will continue to arise where Indian lands will be required by utility companies, power companies, telephone companies, railway companies, etc. At the present time, whenever any land or right of way is required for expropriation purposes or whenever any land is expropriated or right of way acquired, the Indian owner or owners have not much to say as to the amount of compensation or value of property expropriated. In all cases of expropriation or in all cases where the property of an Indian or Indians is taken over, the Indian or Indians should be first consulted by the expropriating party or parties and such Indian should be given the right to demand fair and reasonable compensation for his land or other property affected. The individual Indian or Indians should in all justice have the right to receive directly from the expropriating party or parties the price or compensation agreed upon or fixed by arbitration instead of the expropriating party forwarding the money to Ottawa for distribution by the latter as is the custom and rule at the present time. Very often and practically in all cases, the Indian or Indians whose lands or property are expropriated are obliged to wait an indefinite length of time before they receive their money due to unreasonable and unfair delays.

Failure between the Indian owner or owners and the expropriating party to agree on the amount of compensation, the matter should be submitted to arbitration whose decision should be capable of appeal to a higher authority by either party.

Too often in the past, the Indian has received inadequate and unfair compensation for his property. In fact, there have been many cases where the amount of the compensation has been fixed by the valuers of the expropriating party and the Indian receives—after much delay—only what he is offered regardless of the real or intrinsic value of his property taken over.

The same should apply not only in Caughnawaga but in all other reserves of Canada; and in cases where the Band has an interest, the Band's consent should be obtained and the Band consulted as to the amount of compensation. This should apply in the case of expropriation and sale of a reserve or a part of a reserve.

## IX

### INDIAN CONSTABLE ON RESERVE

The enforcement of the penal provisions of the Indian Act (liquor traffic, intoxication and possession of liquor on reserves, etc., official notices, etc.) is carried out by the Royal Canadian Mounted Police. Without in any way minimizing the undoubtedly good work the force is doing on the reserve, it must be admitted, without going into detail, that there is certain resentment on the part of some Indians with the Mounted Police. On a few occasions in the past, there have been serious fights between some Indians and the Police and not so very long ago, an Indian was struck by a bullet fired from a mountie's revolver which has been a subject of investigation by the authorities concerned.

In all fairness to all concerned, it should be stated that there has been peace and quiet for quite some time, and all seems to be under control as far as fighting is concerned.

It is believed that a lot of friction and resentment would disappear and better feeling and relations would obtain if an Indian of the Band were to be appointed as special constable to police the reserve. Such constable, if appointed, should be qualified and competent and would not necessarily replace the R.C.M.P., but would not co-operate with them and possibly act and discharge his duties under their supervision. Any such Indian constable would most likely to obtain better co-operation from his fellow Indians as he knows the manners and customs of his brothers and better order and government would in all probability result.

Any such Indian constable should be given a fair salary and should be given an allowance for his travelling expenses.

#### RIGHT OF APPEAL BY THE INDIANS

In view of the numerous rulings and decisions which may be made under the provisions of the Indian Act by the Superintendent General of Indian Affairs, his deputy or agent or other delegated person—such rulings and decisions often very serious and important and very often affecting the very lives and property of Indians themselves—it is respectfully submitted that adequate provisions should be created in to the Indian Act giving the right to the Indian or Indians affected to appeal from any such ruling or decision. Some appropriate machinery should be set up to enable the exercise of such appeal.

At the present time, there is nothing in the Act giving any Indian or Indians the right to appeal from any ruling or decision—whether such ruling or decision be of a judicial or administrative nature—and it is not unreasonable or unjust to request that the right of appeal be given. Whether any such appeal should be made to an Appeal Board or to the Courts of competent jurisdiction, the latter case to apply in cases where the decision appealed from is of a judicial nature) or to a Commission or to some other body created for that purpose, is a matter which should be given serious and proper consideration. The procedure for any such appeal should be very simple and provision should also be made for any such appeal to be as inexpensive as possible to the Indian or Indians.

#### EXEMPTION FROM COMPULSORY MILITARY

##### SERVICE OR TRAINING

This question has been quite a controversial one during World War 2.

For the first time in Canada's history, her Indians were called out for military service and duty. Many of them preferred to enlist voluntarily and did not wait for the call to come. As a matter of fact, Canada's Indians again proved their worth not only in the great numbers who fought but also proved that they make good soldiers particularly in the more combatant capacities. Many of them served not only in the Canadian Armed Forces but also in the Armed Forces of the United States and saw action in the far corners of the scenes of battle. The Red Man played a real part in the world struggle. Many of Caughnawaga's sons and daughters fought in the conflict and several received decorations for bravery and valor. Some of them paid the Supreme Sacrifice and will never return.

Generally speaking however, the Indians sincerely felt that they were not subject to the laws of Canada relating to military service and, consequently, many resented being called out under compulsion—the general feeling being that they were wards of and under the guardianship and protection of the Government and this being so, they felt they did not have the same obligations and duties of the Canadian citizens.

*Order in Council of January 17, 1918*

The feeling and attitude of the Indians towards compulsory service as hereinabove stated was undoubtedly brought about by the passing of an Order in Council (No. 111) dated at Ottawa, January 17, 1918, by the Canadian Government, which exempted Indians from compulsory military service in World War I. The Indians still feel that the reasons given and the treaties mentioned in the preamble of the said Order in Council No. 111 are still of importance in substantiating the contention that the Indians are not legally obliged to submit to military duty.

This question is brought up at this time in view of probability of future legislation by the Dominion Government respecting compulsory military service or training and the Indians feel that this question should be clarified once and for all and that appropriate legislation or Orders be passed exempting the Indians of Canada from any compulsory military service in the future.

It should be repeated here that the Indians are not opposed to military service or training on a voluntary basis. This statement is best illustrated by the great numbers who enlisted in the last conflict both in the Canadian and American Armed Forces.

It is sincerely believed that in the event of another conflict Indians would offer themselves in the service of the Country in just as great numbers provided the military training or service would be on a voluntary basis. One of the peculiarities—if such be the right word—of the Indian is that he is very much opposed to any form of compulsion.

## XII

## ELECTIONS AND COUNCIL OF THE BAND

*(a) Election of Mayor and Councillors*

The provisions of Part II of the Indian Act relating to "Division of Reserve", "elections" and "Terms of Office and Vacancies" should be amended in accordance with the following suggestions:—

- (a) The power to restore the whole reserve into one section (instead of the six sections as at present) given in Section 167 of the Act should be exercised;
- (b) The Mayor or Chief Councillor should be elected at large by the people instead of being chosen or elected by the elected Councillors as the system is at present;
- (c) Five councillors only should be elected at large by the people;
- (d) The term of office of the Mayor not to be less than two years and the term of office of the councillors (five) to be or more than 1 year the whole in such a manner that a Mayor will be elected every two years and five Councillors elected every year.

*(b) Remuneration and Allowances for the Mayor and Councillors*

A fair and reasonable salary or remuneration should be given to the Mayor and the Councillors and some allowance should be made to them for expenses necessarily incurred in the discharge of their duties and obligations. It is a sad situation when the Chief Councillor or any of the Councillors are obliged to go around collecting money from the people and appealing to their generosity in order to pay expenses which are bound to be incurred throughout the year upon matters pertaining to their duties.

Also the Council should be given the power and right to employ any person or persons to do the required secretarial or clerical work and provision should be made for the remuneration of such person or persons for such work.



(c) *Qualification of Councillors.*

In view of the important powers given to the Council under the provisions of the Indian Act and the other additional powers and prerogatives which may be given in the forthcoming revised Act particularly under section 185, subsection 2, where the Council is empowered to make *by-laws, rules and regulations* regulating all or any of the subjects and purposes enumerated thereunder, and bearing in mind that the members of a Council are in a sense servants of the people in public service, put into office by the people and for the people to administer and regulate the affairs of the reserve and its people, it is felt, in all fairness and justice not only to the people but to the aspirants or candidates for public offices, that the qualifications of all candidates should be raised in that every candidate whether it be for the office of Chief Councillor or Councillor, should be required to at least read or write English, and this, to enable him to discharge his duties in a fit and proper manner.

It should be immediately stated here that the suggestions hereinabove set forth are not intended in any way to cast any reflection on any council or councillor past or present. And there is no suggestion that any councillor has been or is incompetent. The suggestions made herein are so made in good faith and in all sincerity and in the sincere belief that it will result in better government and proper administration of the affairs of the people.

It is obvious from the many powers given in section 185 of the Act (in addition to the powers which may be given) that a Council would have to be properly equipped in order to make by-laws, rules and regulations on the subjects and matters thereunder set forth.

The suggestions put forth herein would not impose any hardship or create any obstacle nor is it unreasonable in view of the fact that education on reserves has been compulsory for over 50 years; and, for this reason alone, the great majority of the Indians have the required qualifications prayed for herein and have the required education to make him suitable for public office.

## XIII

## LIABILITY OF INDIANS TO TAXES

*Preliminary:*

The Indians respectfully submit and contend that, under the law, they are not liable for the payment of any taxes (which include all kinds of taxes including but not limited to income taxes, succession duties, sales tax, license fees in the nature of taxes, etc.), and in support of such contention wish to invite attention to the following provisions of law, decisions and comments:

Indians and their property are governed by the general laws of Canada relating to Indians and they are governed by the provisions of the Indian Act, Chapter 98, R.S.C. 1927, and amendments thereto, which Act is legislation under the authority of the British North America Act, 1867.

(a) *The British North America Act.*

Section 91, paragraph 24, of the British North America Act of 1867 places '*Indians and lands reserved for Indians*' within the *exclusive* legislative authority of the Parliament of Canada.

It appears to be the plain policy of the Act, (B.N.A.) that in order to ensure uniformity of administration, all such lands, and Indian Affairs generally, shall be under the legislative control of one central authority. (*Per Lord Watson in St. Catherines Milling and Lumber Company vs The Queen (1888), 14 Appeal Cases, at page 59).*

**(b) Relevant Provisions of the Indian Act.**

Pursuant to the legislative authority conferred upon it by the aforementioned B.N.A. Act of 1867, the Parliament of Canada enacted the Indian Act, 1927, R.S.C., Chapter 98.

Sections 102 and 105 of the aforementioned Indian Act read as follows:—

102. No Indian or non-treaty Indian shall be liable to be taxed for any real or personal property, unless he holds, in his individual right, real estate under a lease or in fee simple, or *personal property outside of the reserve* or special reserve, in which case he shall be liable to be taxed for such real or personal property at the same rate as other persons in the locality in which it is situate.

105. No one other than an Indian or non-treaty Indian shall take any security or otherwise obtain any lien or charge, whether by mortgage judgment or otherwise, upon real or personal property of any Indian or non-treaty Indian, except on real or personal property subject to taxation under the last three preceding sections; Provided that any person selling any article to an Indian or non-treaty Indian may take security on such article for any part of the price thereof which is unpaid.

The foregoing sections of the Indian Act do not present any difficulty and it appears clear that the property of an Indian (real or personal) cannot be taxed unless he *holds* in his individual right, property (real or personal) *outside* of the reserve.

It is also clear from Sections 102 and 105 that *no one (unless he is an Indian or non-treaty Indian) can take any security or otherwise obtain any lien or charge*, whether by mortgage, *Judgment* or otherwise, *upon the property (real or personal)* of an Indian, except upon real or personal property outside of the reserve subject to taxation.

It is equally clear from the foregoing Section 102 that the property of an Indian *cannot be taxed* "unless he holds" in his individual right, real estate under a lease or in fee simple or personal property outside of the reserve.

**Income Tax.**

Undoubtedly, one of the heaviest and most burdensome type of tax paid by the Indians is the well-known income tax. Almost all Indians are obliged to leave their reserves in order to make a living, some returning daily to their homes on the reserve, others being away from home a few months at a time.

It could be stated without fear of contradiction that almost all Indians working and earning wages off a reserve pay income tax more so since the innovation of a system by the taxing authorities whereby a certain amount in taxes is deducted at the source by the employer who, in turn, pays same over to the government for and on behalf of their Indian employee. The result of the whole system as it exists at the present time is that the Indian comes home to his reserve with his earnings minus a certain amount deducted for income taxes.

Let us now examine the case of an Indian living on a reserve who works and earns a salary or wages off a reserve. He works every day off the reserve and returns every day to his home on the reserve. On pay-day, he receives his pay off the reserve (this being very natural since his place of work is off the reserve) and returns to his home—his domicile as it were—where he lives and where he has his permanent establishment.

**Income of Indian is "Personal Property"  
Within Meaning of Section 102 of the Act.**

In general, there are two great classes of property. One class is "personal property" or moveable property and the other is "real property" or immoveable



property. In fact the words "personal property" and "moveable property" are synonymous and mean the same thing; and the same thing applies for the words "real property" and immoveable property.

It appears very clear that the income of an Indian—whether such income be in the form of wages, salary or profits—being moveable property as opposed to real or immoveable property, is included in the words "personal property" as used in the foregoing cited section 102 of the Act which clearly and unambiguously states that

102. No Indian or non-treaty Indian shall be liable to be taxed for any real or personal property, unless he holds, in his .... etc.....

In other words, "income" of an Indian being "personal property" is property for which an Indian should not be taxed.

There does not appear to be any difficulty at all when the wages or salary are made within the limits of the reserve. The problem appears to arise when such wages and salary are made off the reserve. Let us therefore examine this situation further.

*Income of Indian Earned off Reserve is not "Personal Property" Held by Him Outside The Reserve Within Meaning of Section 102 of Act.*

Let us go back to the case of an Indian living on a reserve but working and earning money off a reserve and receives his pay off the reserve once a week or twice a month as the case may be. When such Indian receives his pay, does he "hold, in his individual right, real estate under a lease or in fee simple, or personal property outside of the reserve" to use the words of section 102? When his employer hands him his pay, does the Indian "hold personal property" outside of the reserve so as to make him liable to be taxed the same as other persons?

The answer to these two questions must be in the negative. Surely no one can state with any justification or reason that simply because an Indian receives his pay or his earnings off a reserve and intends to return with his pay or earnings to his home on a reserve where he has his domicile, that such pay or earnings are "personal property held by an Indian outside the reserve" within the meaning of the aforementioned Section 102 of the Indian Act.

*Situs of Pay or Earnings of Indian is on Reserve despite pay is effected off the reserve.*

The situs or personal property for the purposes of taxation is the domicile of the owner unless there is a Statute to the contrary or property is tangible and has acquired an actual situs of its own in a state or place other than where the owner is domiciled. (Cooley on Taxation, Vol., 2, 4th Edition, c. 440 at p. 957).

The foregoing statement is in accordance with the well-known legal maxim "Mabilia sequuntur personam" or moveables follow the person.

Consequently, as regards the pay of Indians living on a reserve but receiving their earnings off same, the *situs* of such money is his domicile namely, his reserve, and it would be erroneous to hold that merely because such Indian is paid off his reserve "he holds personal property outside of the reserve" in such a manner that such property would be liable to taxation as other persons according to section 102 of the Act above quoted.

*Court Decisions on Property of Indians and the Situs of same:*

The late Mr. Justice Greenshields, Chief Justice of the Superior Court in the Province of Quebec, in the case of Feldman vs. Jocks, 74 Quebec Superior



Court Reports, 56, held that an automobile of an Indian, which is *outside* of the Reserve (Caughnawaga) and is there merely for the purpose of some temporary repairs, is not personal property held "outside of the Reserve" and is not subject to seizure by a judgment creditor.

At page 57 of the said report, the late Chief Justice stated as follows:—

In this case, as has been already said, this automobile was accidentally and temporarily off and outside of the territory of the Reserve, and was there merely for the purpose of some temporary repairs. The owner of the car, the opposant, had the intention of returning the car to his garage within the territory of the Reservation, and I declare and hold, that that automobile was not personal property held by the opposant outside of the Reserve.

In another case of *Crepin vs. Delorimier*, 68 *Quebec Superior Court Reports* 36,—a case in which the question was whether or not a creditor could seize a bank deposit of an Indian in a bank situated outside an Indian Reserve—Mr. Justice Philippe Demers concluded his judgment as follows:—

I am of opinion that the Art. 102 has in view only a tax on immovables and *corporeal moveables* situated without the territorial limits of the Reserve.

In other words, the effect of the foregoing judgment of Mr. Justice Philippe Demers is that although the Indian in the case had his money on deposit in a bank outside of the reserve, such Indian did not hold personal property outside of the reserve and further held that the *situs* of the deposit, although off the reserve, was in reality on the reserve where the Indian had his domicile.

See also the case of *Simkevitz vs. Thompson and Glenwater Cheese Factory*, referred to by the late Chief Justice Greenshields in the case of *Feldman vs. Jocks*, 74 *Que.*, S.C. at p. 59.

McPhillips, J. A., said in the case of *Armstrong Growers Association vs. Harris*, 33 *B.C.R.* at p 289:—

It is clear that the property of an Indian is not subject to any form of attachment if it be not taxable, and in the present case unquestionably no case has been made out to show that the moneys or property in question are subject to taxation.

Also at the top of p. 290, in the same case, the learned Judge continued:

The Indians are wards of the National Government (Government of Canada) and the statutory provisions are aimed to provide statutory protection to the Indians and the public must govern itself accordingly, otherwise we would see the Indians overreached on every hand and the Government required, in even a greater degree, to provide for and protect the Indians from the rapacious hands of those who ever seem ready to advantage themselves and profit by the Indians' want of business experience and knowledge of world affairs.

In view of the foregoing provisions and the decisions above noted, it is clear that the Indian living on a reserve ought not to be taxed for wages or earnings earned off the reserve. It is also equally clear that the sections above quoted as well as other relevant sections of the Indian Act are intended to exempt Indians from all types of taxes since the word "shall" (being imperative) is used in section 102. Consequently to oblige an Indian to pay taxes would, it is respectfully submitted, be a serious violation to section 102 and would be defeating the intention of Parliament.

*Opinions on Liability of Indians to pay Income Tax.*

The foregoing contention and decisions have considerable support in the following opinions which are quoted herein for convenience:

The first one is contained in a letter from the Commissioner of Income Tax, Mr. C. F. Elliott, to the Inspector of Income Tax in Vancouver, B.C., dated March 25, 1936, which reads as follows:—

DEAR SIR,—

*Re: Indians Liable to Taxation*

With reference to yours of the 16th instant you are advised that it has been a long standing ruling of this Division that real or personal property of Indians residing on a Reserve is exempt from taxation, but Indians not residing on a Reserve are liable to taxation as are any other persons ordinarily resident in Canada—”

Yours faithfully, etc.

The second one is one from the Acting Deputy Minister of Justice, Mr. C. P. Plaxton, to the Secretary of Indian Affairs, Department of Mines and Resources, dated April 26, 1939, which reads as follows:—

SIR,—

*Re: Liability of Indians to Payment of Dominion Income Tax*

I have the honour to acknowledge receipt of your letter of April 7 and in accord with the view expressed under date 6th March, 1936, your file 320360, to say that I think that in the absence of special contractual provisions as to place of payment, Indians residing on Reserves are not liable to be taxed on account of income tax under Dominion or Provincial legislation in respect of wages earned off the Reserves.

Your obedient servant.

The late Mr. Aimée Geoffrion of Montreal, one of Canada's most eminent and outstanding lawyers, who expressed his opinion in a letter dated September 14, 1942, to Messrs. Boyer, Coderre & Therrien, advocates of Montreal (which original letter is in possession of Mr. Frank McD. Jacobs, one of the undersigned, and who will have such letter available at the presentation of this BRIEF) to the effect that in his opinion Indians, in view of the provisions of section 102 of the Indian Act, are not liable to income tax.

In a circular dated at Ottawa, February 24, 1943, addressed to all Indian agents, the Director of Indian Affairs, Mr. Harold W. McGill, advised in part that

According to advice that we have received, an Indian is subject to taxation of income, including wages, earned off a Reserve, even though he may himself live on a Reserve.

The divergence of the foregoing opinions is most amazing and it is apparent that taxes from the wages or pay of the Indians working off the reserve were deducted as a direct result of the foregoing circular of the Director of Indian Affairs.

The situation should be remedied immediately and any advice or opinion given should be so given in accordance with the true spirit and meaning of the law and in accordance with the above cited Court decisions interpreting the law.

The foregoing provisions, decisions, comments and suggestions should be made to apply in respect to all other taxes, levies and imposts and the law should be so clarified as to make it virtually impossible for any individual, or any Dominion or Provincial Government to contravene the provisions of the Act with respect to taxation of the property of Indians.

*Question of Payment of Taxes and Licence Fees Under Provincial Legislation.*

Despite the fact that Indians and Indian Lands are under the legislative authority of the Dominion Parliament under Section 91, paragraph 24, of the British North America Act, Indians throughout the various provinces of Canada have been obliged to pay certain taxes and licence fees to the provinces concerned. This situation of course has been brought about because of the absence of Dominion legislation removing the Indian from the scope of provincial legislation and the absence of any exception for the Indian in provincial legislation.

A few of the taxes which the Indian is obliged to pay to the provinces under provincial legislation are the following:—

1. Succession Duty taxes;
2. Provincial sales taxes;
3. Hunting and Fishing licences;
4. Gasoline Taxes;
5. Certain municipal taxes;
6. Restaurant licences, etc.

*The Case of Ex-Parte Kane re Taxation:*

In the case of *Ex-Parte Kane*, (1940) 1 D.L.R. 390, it was stated by the learned Trial Judge as follows:

Unenfranchised Indians resident outside a reserve are not subject to a poll tax imposed by provincial legislation, the field of taxation in respect to Indians having been occupied by the Dominion Parliament in ss. 102, 103 and 104 of the Indian Act, R.S.C., 1927, C. 98, and it being incompetent to a provincial Legislature to supplement, change or restrict such Federal enactments.

In the same case, McArthur, Co. Ct., J., who rendered the decision, said at page 396 of the said report as follows:

It is my view that ss. 102, 103 and 104 of the Indian Act are exhaustive on the subject of Indian Taxation so as to exclude provincial legislation, and therefore the provisions of the City Charter providing for the payment of a poll tax, has no application to an unenfranchised Indian whether residing on or off the reserve.

The learned Judge also said at page 397 of the same report as follows:—

This section creates for an Indian the situation in purely civil matters, that he may have property ample and sufficient to satisfy a judgment or other claim, but such property is exempt from seizure, levy or distress, by reason of the fact that it cannot be made subject to any lien or charge.

*Dominion Parliament Has Power to Remove Indians from Scope of Provincial Legislation.*

Inasmuch as the Dominion Parliament has legislative authority over Indians and Indian Lands, as aforesaid, and inasmuch as it would be desirable and expedient to exempt Indians from the obligation of paying taxes, licence fees, and other levies and imposts, to the provinces, Parliament should remove Indians from the scope of provincial laws. This power is conceded in a certain case of *Rex vs. Hill*, A.C., 1907, 150 L.R., 406, which was stated therein as follows:

Parliament may remove an Indian from the scope of the provincial laws but, to the extent to which it has not done so, he must in his dealings outside the reserve govern himself by the general law which applies there.



## CONCLUSIONS

The undersigned, for and on behalf of the Iroquois Indians of Caughnawaga wish to express sincere appreciation and thanks for the opportunity afforded to present the present Brief and it is sincerely hoped that, in some small measure at least, the comments and suggestions contained herein will aid the Honourable Senators and Members of the House of Commons who compose the Special Joint Committee in their tremendous task and the general desire to give the Indians of Canada a better deal.

The Whole Respectfully Submitted.

CAUGHNAWAGA, Quebec, June 9, 1947.

L. E. BEAUVAIS  
F. McD. JACOBS  
J. DELISLE, Jr.

## APPENDIX C

OKA, QUEBEC,  
June 30, 1944.

The Honourable T. A. CRERAR,  
Minister of Mines and Resources,  
Ottawa, Canada.

HONOURABLE AND DEAR SIR:—Following your meeting and interview at Carnegie Library, Ottawa, on June 7, 1944, with a delegation of Indians, we, on behalf of the Indians of Oka, of the Lake of the Two Mountains, in the Province of Quebec, wish to place before you the following matters, grievances and questions, and this in accordance with your expressed desire to receive representations and to give them your careful consideration.

*I. Compulsory Military Service of Indians.*

On this question, you informed the delegation that, as far as you personally are concerned, you think there is some weight to the argument that the Indians should be exempt from compulsory military service, at the same time you paid tribute to those Indians who have enlisted voluntarily and are fighting in the Services to-day.

We, too, are proud of our fighting sons who not only are holding high the torch passed to them by their veteran fathers of the war of 1914-1918, but are demonstrating again that loyalty to British institutions shown by their forefathers in the war of 1812-1814, and, more particularly, in the battle of Châteaugay when, but for the Indians' support to General De Salisbry, Montreal and Canada would have fallen to the then enemy.

However, while our sons will continue to enlist voluntarily, we object, and they object, as a matter of principle and in the assertion of legal right, to forced military training.

Our claim that Indians should be exempted from compulsory service is based upon several grounds, but we mention below only those which appear to be of primary importance, although other grounds, especially those based on treaties, are considered significant.

(A) There should be no obligation without representation. But Indians do not vote and have no representation in Parliament. The Dominion Elections Act, 1938, is clear on this question. The section 14, subsection 2, paragraph "F" of the said Act, reads as follows:—

"The following persons are *disqualified* from voting at an election and incapable of being registered as electors and shall not vote nor be so registered, that is to say:

"Every Indian person ordinarily resident on an Indian Reservation who did not serve in the military, naval or air forces of Canada in the war of 1914-1918; (For the purpose of this provision 'Indian' means and includes any persons of whole or part Indian blood who is entitled to receive any annuity or other benefit under any treaty with the Crown)".

Further, Indians did not have the right to vote on the plebiscite of the Dominion Government in 1942, and consequently had no say and no right to assert their will upon a question so serious as that put to the Canadian people in virtue of the Dominion Plebiscite Act, a right which was given to every other Canadian exercising rights under the Dominion Elections Act and the said Plebiscite Act.

(B) Governor Morris—representing Queen Victoria during discussions which preceded the making of the North West Angle Treaty—assured the Indians that it was not the custom for Her Majesty to ask Indians to fight wars on behalf of Her Majesty.

(C) During the war of 1914-1918, a Dominion Order-in-Council was passed expressly exempting Indians from military service. It is axiomatic that such an order would not have been passed unless based on strong reasons and the conclusion that Indians were lawfully exempt.

## II. Income Tax.

The following is a principle of law: "No taxation without representation."

And, as above set forth, Indians have no right to vote and have no representation in the Dominion Parliament, nor in the Provincial Parliaments.

The Dominion Parliament has recognized the above principle in enacting Section 102 of the Indian Act, which reads as follows:—

No Indian or non-treaty Indian shall be liable to be taxed for any real or personal property, unless he holds, in his individual right, real estate under a lease or in fee simple, or *personal property outside of the Reserve* or special Reserve, in which case he shall be liable to be taxed for such real or personal property at the same rate as other persons in the locality in which it is situated.

The late Chief Justice Greenshields, in the case of *Feldman vs. Jocks*, 74 Quebec Superior Court Reports 56, held that an automobile of an Indian, which is outside of the Reserve (Caughnawaga) and is there merely for the purpose of some temporary repairs, is not personal property held "outside of the Reserve" and is not subject to seizure by a judgment creditor.

At page 57 of the said report, the Chief Justice stated as follows:—

In this case, as has been already said, this automobile was accidentally and temporarily off and outside of the territory of the Reserve, and was there merely for the purpose of some temporary repairs. The owner of the car, the opposant, had the intention of returning the car to his garage within the territory of the Reservation, and I declare and hold, that that automobile was not personal property held by the opposant outside of the Reserve.

In the same case page 59, Chief Justice Greenshields made the following comments with reference to another decision, viz.:

"Another case to which reference was made is that of *Simkevitz vs. Thompson* and *Glenwalter Cheese Factory*, *Tiers-saisie*. In this case an Indian, a member of the St. Regis band of Indians, and living on a Reserve, sent his milk to a factory outside to be made into cheese; when the cheese was manufactured

it was sold by the cheese factory, the Tiers-saisie, and after deducting the necessary charges for manufacturing and sale the factory was to account to the Indian for the value of the milk. A creditor of the Indian attached any amount due to the Indian by the factory by garnishee or saisie arret proceedings. It was contested, and Mr. Justice Little, a county judge in Ontario gave a judgment. He held, that this money could not be seized. In part he said: Under the law as it stands at the present time a judgment may be obtained against an Indian for debt, but when the judgment creditor seeks to obtain the fruits of his judgment, he is confronted by Section 102 of the Indian Act, which limits the property of the Indian which is exigible, to such real or personal property as is the subject of taxation under the pertinent applicable section of the Indian Act.

"In that case the whole argument or difficulty seemed to have been, whether the milk money, as it was called, was a part of the Indian's income or not. Upon the whole the judgment went in favour of the Indian, and the attachment was quashed."

In the case of Crepin & Delorimier, 69 Quebec Superior Court Reports,—a case in which the question was whether or not a creditor could seize a bank deposit of an Indian in a bank situated outside an Indian Reserve,—Mr. Justice Philippe Demers concluded his judgment as follows:

"I am of the opinion that the article 102 has in view only a tax on immovables and corporeal moveables situated without the territorial limits of the Reserve."

Accordingly His Lordship dismissed the seizure in the hands of the Bank.

The above cases in quotations make it clear that wages earned by Indians outside their Reserves, moneys deposited by Indians in banks beyond the limits of their Reserves, and moveable property of Indians, even when beyond the limits of the Reserves, are not subject to taxation. Yet the Dominion Government forces Indians to pay income taxes out of wages and other revenues!

Moreover, the above enactment and decisions clearly demonstrate how far legislators have gone in protecting Indians from taxation, and how far the Courts have gone to maintain the exemption of Indians from taxes.

And we firmly believe that, if we Indians had the necessary funds to make a test case, and finance it to the highest Courts of the land, the result would be favourable to us. But what chance have poor Indians, the wards and children of the Government, against its fathers, the Government, who exempt their wards from the payment of taxes with one hand,—the Indian Act,—and, with the other hand, uses its full force to collect taxes, even in contravention of the terms of the Indian Act and the relevant jurisprudence thereunder, as well as on violation of the principles which underlie the said enactment.

As to the last mentioned principles, McPhillips, J. A., in the case of Armstrong Growers Association vs Harris, 33 B.C. Reports 290, said:

"The Indians are wards of the National Government (Government of Canada) and the statutory provisions are aimed to provide statutory protection to the Indians and the public must govern itself accordingly, otherwise we would see the Indians overreached on every hand and the Government required, in even a greater degree, to provide for and protect the Indians from the rapacious hands of those who ever seem ready to advantage themselves and profit by the Indians' want of business experience and knowledge of world affairs."

### III. *We Claim Oka Lake of Two Mountains As Our Indian Reserve.*

This matter has been in controversy for many generations, and we do not intend to labour you with the full history, which dates back to the Kings of France.

The following, however, will give you some insight into our contentions and will indicate, to some extent, the abuses we have suffered even to the extent of depriving us of our lands.



The Proclamation of 1763 provides, in part, as follows:

... And we do further enjoin and require all persons whatever who have either wilfully or inadvertently seated themselves upon any land within the counties above described, or upon any other land which, not having been seated to or purchased by us, are still reserved to the said Indians as aforesaid, forthwith to reserve themselves from such settlements.

And whereas great frauds and abuses have been committed in the purchasing of lands of the Indians to the great prejudice of our interests and to the great dissatisfaction of the said Indians. In the order therefore to prevent such irregularities for the future and to the end that the Indians may be convinced of our justice, and determined resolution to remove all reasonable cause of discontent, we do, with the advice of our Privy Council, strictly enjoin and require that no private person do presume to make any purchase from the said Indians of any lands reserved to the said Indians within those parts of our colonies where we have thought proper to allow such settlement; but that if, at any time, any of the said Indians should be inclined to dispose of the said lands, *they shall be purchased only for us in our name* at some public meeting or assembly of the said Indians to be held for that purpose by the Governor or Commander in Chief of our colonies respectively within which they shall lie.

(Incidentally a few years ago one Baron Empin purported to buy a very large tract of land in Oka, from the Sulpician Order, which, we maintain, had wrongfully and illegally taken such lands from us.)

Moreover, the same policy towards Indians was followed and was manifested by subsequent legislation, the Act of 3 and 4 Victoria, Chapter 44, which provided for the further protection of the Indian,—and by the matter with reference to Indians contained in Sessional Papers No. 18.

The following excerpt from "The Story of the Oka Indians," by W. Geo. Beers,—writing many years ago in the *Canadian Spectator*,—will give you some insight into the present question.

I propose to tell the story of the Oka Indians with as much historical accuracy as I can command, and without either malice or imagination in dealing with events of recent times. I think it is a story which, as Seneca says, "is never too often repeated till it is sufficiently learned," and while I will be responsible for the conclusions I may draw, I am not responsible for the occurrences which have forced those conclusions upon many minds besides my own. If my tale appears to be overdrawn, it will be the fault of the facts, not of my fancy; for truth was never stranger than fiction in the history of the red race in Canada, and in the vicissitudes and wrongs of the Indians of the Lake of Two Mountains. Once the only defence of the Sulpicians, when Montreal was a small French village, now become a special mark for Sulpician persecution; once enjoying the fullest and freest right to fish, hunt and maintain themselves on and out of the lands given to the Sulpicians as their trustees, now treated as squatters and worried by lawsuits for cutting wood for fuel, or for the small manufactures upon which their humble existence largely depends; once holding a balance of power which kept Sulpician fate, and doing faithfully the brave deeds which alone saved the Sulpicians from annihilation, now spurned with hate as an obstruction to the aggrandizement and political schemes of the very people for whose protection they fought against their own flesh and blood! I am aware that I have to meet the opposing public opinion on the question in three ranks; A front rank of a wealthy corporation which has done

much good but which has left the very largest part of its work undone; which according to the highest legal opinion in England and Canada, given over thirty years before the illegal confirmation of the Seminary claims in 1840, has no valid title to the estates it got "Confirmed," but which belong to the Crown by right of conquest (See Christie's History of Canada, vol. vi); which has neither fulfilled fully the obligations of that title to the island of Montreal nor to the Lake of the Two Mountains; and which has sanctioned most miserable and cruel persecutions in Oka, perhaps thinking with Saul when he consented to the stoning of Stephen, that it was doing God service. A second rank, a lay element, led by political adventurers and a few religious bigots, who hurl forth both falsehood and vulgarity in lieu of argument and reason, and who are mentally incapacitated to look truth in the face if it wears not the hue they wish it. A third rank, well in the rear, a sort of reserve, as ready to run when the foe comes as to rush on when the foe retreats—the time-serving class of one creed and all parties; who have brave words for the Okas when the indignation of a country is aroused and some party aim can be handled, but who pay penance for their valour in trimming when indignation has passed away; who want to be thought as Protestants of very staunch principle by Protestants, and as Protestants of *very* elastic principle by Catholics who to both sides show a smooth face and a yielding assent of so gentle a dissent as to be easily mistaken. They hate persecution, but they have an eye to business. They love civil and religious rites, but they hate to lose a customer. They have that sort of manhood which will let you kick it blue if you buy its wares, and that sort of hypocrisy "which is honestly indignant that you should think it hypocritical."

"But there is a public opinion in Canada which will yet master these three; which will yet rise in protest against the demoralizing tendency to sink principle in party, honour in "business", right, in expediency. If the story I have to tell wakens the people to protest against gross wrong, if it wakens more love for even Indian humanity, more of that British determination to enforce justice and right at all hazards, even for an Indian, I will feel the work not in vain."

However, upon an appeal from a judgment of the Court of the King's Bench of December 29, 1911, the Privy Council dealt with this question in the case of Angus Corinths and Others and the Ecclesiastics of the Seminary of St. Sulpice, and their Lordships expressed the thought that an act of the Legislature of Lower Canada passed in 1841, made it impossible for the appellants, representing the Indians of Oka, to establish an independent title to possession or control of the lands of Oka.

Their Lordships said in part:

"If this were a case which the practice of the English Courts governed, their Lordships might not improbably think that there was a charitable trust which the Attorney General, as representing the Public, could enforce, if not in terms, at all events cy-press by means of a scheme, or if necessary, by invoking the assistance of the Legislature. Whether an analogous procedure exists in Quebec, and whether in that sense the matter is one for the Government of the Dominion or of that of the Province, are questions which have not been and could not have been, discussed in proceedings such as the present."

Nevertheless we submit and maintain that lands of Oka have improperly been taken from us.

But the said Privy Council decision is such as to place difficulties in the way of the successful assertion of such claim.

However, we do invoke the suggestion of the said Privy Council decision above quoted.



In this connection, the said quotation contains a suggestion that a scheme be adopted, through the Legislature, to secure for the Indians, benefits in the Seigniorship at Oka. But the Legislature of Quebec would naturally answer any request for such a scheme by pointing out section 91 paragraph 24 of the British North America Act which places Indians, and lands reserved for Indians, within the exclusive legislative authority of the Parliament of Canada. And, so, it follows that the Privy Council's said suggestion to invoke the assistance of the Legislature, is necessarily limited to invoking the assistance of the Government of the Dominion.

Undoubtedly we have been deprived of our lands. Will not the Government of the Dominion see to it that either these lands are restored to us or that we are compensated, or that some benefit, by way of a scheme suggested by the Privy Council, should be given to us.

#### IV. *Specific Grievances.*

When the said case of Angus Corinthe and Others was tried by Mr. Justice Hutchinson in the Quebec Superior Court, in Montreal, His Lordship rendered a judgment which was confirmed by the Privy Council, as aforesaid.

In such Superior Court judgment His Lordship said, among other things:—

... By reason of the foregoing considerations, the action and demand of the plaintiffs is dismissed with costs, subject to their right and that of the Indians represented by them, to demand and receive from the defendants, instruction and spiritual care and, consequently,—

- (i) The right to reside in the seigniorship, on such lots and places as the defendants may designate, within easy distance of the Church.
- (ii) And to erect dwellings thereon, and sheds for their horses and cattle.
- (iii) And, also, to cut and use wood on the seigniorship for the building, repairing and heating of their dwellings.
- (iv) And the right to pasture on the said seigniorship, their horses and cattle, all within such limits as the defendants may fix and determine. (38 Quebec Superior Court Reports 268)

Nevertheless,—not content with depriving us of our lands, and not content with having sold large tracts of land to a foreign gentleman Baron Empin, the Sulpicians violating the trust originally given to them to protect and assist us Indians materially as well as spiritually,—The acts of the Sulpician Fathers oblige us to make the following complaints:—

1. Compulsory military service.
2. Income tax—no taxation without representation.
3. We claim Oka Lake of the Two Mountains as our Indian Reserve.
4. They have closed the Commons to the Indians where we used to put our cattle to graze and where we used to cut timbers for building purposes and where we used to hunt.
5. We are not allowed to cut wood for building or for fuel purposes, nor for making handles and baskets.
6. The Municipality of Oka cuts off our water for the non-payment of taxes.
7. Old and disabled Indians receive no help from the Sulpicians, and receive insufficient help from the Indian Branch. And needy Indian families require more assistance.
8. The Indian children do not receive adequate education.
9. We have not sufficient land with which to make a livelihood to support our families. Many Indians are forced to leave the Reservation to make a living.



10. Certain French-speaking white persons living on the Reserve forbid us to land on the shore when crossing the Ottawa River by row-boat, also a certain French-speaking white man made a gully to drain his land into a certain Indian property thereby ruining the Indians' crops every year and no remedy has been obtained by the Indians.
11. We protest the Provincial Government in Quebec taxing Indians who own stores in Oka Village, Lake of Two Mountains Indian Reserve, and contend that they have no legal right to impose any taxes by way of licences or otherwise, upon the Indians. However, our resources are such that we cannot test such matter before the Courts. We, therefore, invoke your assistance on this question.

### *Conclusion*

In your said interview with the delegates you stated that you are most anxious to help the Indians improve their position wherever their work may lie and to improve their health, and that you are interested in our welfare, the Government standing in the position of trustee to the Indians. Consequently, we urge your immediate consideration of the above questions and problems, and that you cause to be made without delay such investigation or investigations as may be necessary to verify the allegations and facts, and that you accordingly thereupon cause the necessary remedies to be applied and the rights and benefits requested given to us.

As you remarked, you are Highland Scotch, and as such, first in your own land, as well as in many other lands. However, we remind you that we, the Indians, were first in this Canada of ours, and we have confidence that you will help to restore us to the foremost position to which we are entitled.

Believe us, honourable and dear Sir,

Yours respectfully,

George Arirkon, Cree,  
 Angus Aroniahwente,  
 Marten Anonsawenrate,  
 Simon Karoniakeron Simon.

## APPENDIX GD

LAKE OF TWO MOUNTAINS,  
 October 24, 1946.

To the Honourable Senators and Members of Joint Committee,—

We the Iroquois tribe of the Lake of Two Mountains Indian Reserve, members of the Six Nations Confederacy, assembled at a meeting to discuss and consider the merits of the eight (8) point questionnaire as requested by the Joint Committee.

We have faithfully dicussed and considered the said eight points as requested of us.

And the following are our views as passed in Council with the consent of our tribes and bands.

We hereby resolve not to subject to amendments to the Indian Act.

As we are resolved to abolish the Indian Act, by virtue of our ancient treaties; that by virtue of our treaty rights Indians of the Six Nations are not liable to any federal or provincial laws within their territories; that by virtue of our treaty rights Indians of the Six Nations are not liable for payment of taxes either to the Dominion or provincial governments.

That by virtue of our treaty rights we demand of the Canadian Government the recognition and the respect of our sovereign rights and privileges as a Nation.

We do not wish to become enfranchised. In dealing with these treaties, between Great Britain (and the Indians) and the United States (and the Indians) both Great Britain and the United States have confessed that the Six Nations were independent people.

The Supreme Courts of both countries furthermore recognized those treaties as inviolable. In the *Life of Sir Frederick Haldimand*, Volume 3, page 356, the question of the sovereignty of the Indians was very embarrassing in that it would have been impossible on any theory of the laws of nations for Great Britain or the United States to establish any prerogative in themselves to enforce the laws of the white man upon the owners of the country in dealing with the Jay Treaty of Amity. Mallory, p. 590 in 1791 said the rights of the Indian were recognized. Moreover the language used (in that Treaty) treated those tribes as being outside the circle of British subjects in relation of citizenship and sovereignty. To make this admission still stronger that article was amplified by the amendment of 1796 (Mallory, p. 607) which provided that no treaty made or to be made by either party with another nation or with any other Indian tribe should be construed to deny those tribal rights.

We do not approve and never will approve of the Indian Act by virtue of the respective treaties enumerated herein:

Treaty of Peace and Friendship, 1784, in this treaty it will be found Indians are not citizens, but Nations;

Treaty of 1759 and 1791, King George the Third is the absolute protector of Indians and absolutely forbade the purchase or molestation of Indians;

Treaty of 1763, forbids the encroachment of white persons on Indian reserves;

Treaty of 1794, confirms the sovereignty of the Six Nations;

As regards schools, we would derive more benefit from day schools, if we are provided with good teachers.

As to the eight (8) points:

To our advancement, all government aid should be free to the Indians. It should not collect the value of what is distributed among the Indians as it is or has been going on in recent years. Indians are not in a state to be able to repay (the Government) for cattle, horses, farm machinery.

As to health: We think we should have a good lively doctor. As far as the doctor who looks after the Lake of the Two Mountains, he is of an age when he should be retired.

Speaking of housing: some of our houses are in terrible shape, some require a lot of repairing and many need new houses, as the houses they are living in are old houses which should be condemned.

As to agriculture: there are some with small land and some with none at all. Some wish to go into agriculture. There's a large tract of land which was granted once to the Indians and the Seminary of Montreal have taken these lands away from us Indians hundred years ago, or little more.

As to the expense of our delegates: We would suggest that the government pay the expense of attending before the Joint Committee, as we do not know just what it would cost nor how long we would be there.

We will now bring our brief before you.

The Indians of Lake of Two Mountains have suffered something serious. Since the Act of 1841 was decreed, it has taken our reserve from us without the consent of our Indians. That was not the intention of the Crown, but those acting in authority for the Crown are responsible for it.

Since that time and to the present date, we have been forbidden the enjoyment of our reserve.

Before the Act of 1881 was passed the Indians looked very much to the terms of 1760 and also 1763, also to a judgment of the Superior Court, October 5, 1722, regulating boundary lines between the Seignory of Lake of Two Mountains and that of Madame D'Argenteuil. (See *Ordonnances des Intendants, Arrets et reglements du Conseil Superieure de Quebec*, Vol. I, p. 189, Canadian Archives).

With regard to the Act of 1841, it was formed from nothing. The Indians were entirely ignored by that Statute. It did not comply with the terms of the Treaty of 1763 wherein it says we do with the advice of the Privy Council strictly enjoin and required no private person to presume to make any purchase from the said Indians of any lands reserved to the said Indians within those parts of our Colonies where we have thought proper to allow settlements. Further, that if at any time any of the said Indians should be inclined to dispose of the said lands the same shall be purchased only for us in our name at some public meeting or assembly of the said Indians to be held for that purpose by the Governor or Commander in Chief of our colony respectively in which they shall lie.

The Sulpician Order have abused the Act of 1841. They were placed as trustees by the Judgment of the Superior Court, King's Bench, and also the Privy Council.

The Seminary in recent years has made a good sale of the property a good portion of which the Indians have been using as common land for the pasturing of their cattle, horses, or as wood lots.

So to-day our Indians are without common lands or wood lots.

We ask the Government to abolish the Act of 1881 that the Seignory of the Lake of Two Mountains was never alienated to the Seminary and Oka is the only one where any property has been left.

We are in a position to appeal confidently to the Government of Canada for complete justice and respect of our sovereignty and rights.

We also ask that the Grand Chiefs at the Lake of Two Mountains be granted a commission like the commission that was granted May 1, 1830, in the name of Charles Tharye, Baptist Arienarison, Grand Chief A. Laplace, D. Clark Tharye, by His Excellency's Command, Sir James Kempt.

Lest we forget now and forever that in Europe and Pacific battlefields the flowers bloom between the crosses, row on row, and in other places, lie many of our Indian braves.

They went through the stench of hell fire, met the onslaught of ingenious instruments of modern warfare, the insidiousness of poison gas and other diabolical weapons of death. They lie in honoured death that the British flag may never fall, the sun never set on the British Empire, so that Britannia rules the waves and that the escutcheon of the House of Windsor be not desecrated, but do blaze as always in its splendid glory, for the honour and respect of the laws and sovereignty of the British Commonwealth.

Also that some day their laws and rights and sovereignty of their own people might be honoured and respected.

We therefore beg and pray that all our treaties be maintained and recognized by Great Britain and her commonwealth and that our rights as a sovereign nation be taken into serious consideration, and we refer most particularly to Northwest Angle Treaty, 1873; Imperial Proclamation, December 22, 1766: Royal Proclamation, October 7, 1763; and the previously mentioned judgment of the Superior Court, October 5, 1722 and 1794-95.

#### *Postscript*

One incident that is omitted in our above brief which is very important is this: Our forefathers originally came from Montreal which was Mont Royal, and we have never been paid for the lease. We think that if justice is going to be practised for us, we should be paid in full for the use of our lands.



(2) One of our chiefs asked for the deed of our Seignory. Mr. Rowell, who was chairman for our affairs said that if the Chief would go to Ottawa that he, Mr. Rowell would meet him and in the presence of Mr. Scott, who was Superintendent of Indian Affairs. When they did meet there, Mr. Scott refused to let the Chief have the deed. And therefore Mr. Rowell had to leave it in his charge. That is why we can not get the deed for our seignory.

The undersigned delegate appointed by the Chiefs.

(Sgd.) JAMES MONTOUR.

## APPENDIX GE

Honorables membres de la Chambre des communes et du Sénat:

Je suis honoré et heureux de l'opportunité qui m'est offerte d'unir ma voix à celle des autres réserves du Canada dans l'étude des problèmes qui concernent l'amélioration et le bien-être des Indiens.

Je représente ici, à titre de chef, la réserve des ABENAKIS de Pierreville.

Je serai bref dans l'exposé de mes griefs.

Le travail accompli jusqu'ici par le Président et les autres représentants de la Fraternité des Indiens de l'Amérique du Nord absorbe à peu près toutes les questions qui nous intéressent. J'exprime ici l'opinion unanime des ABENAKIS.

Nous demandons le maintien du système des Réserves avec certaines modifications de l'Acte des Indiens ayant pour objet d'améliorer la position et sauvegarder les droits des Indiens. Pour ne toucher que quelques points; je dois déclarer, en ce qui concerne le problème de l'éducation chez les ABENAKIS que le système scolaire en vigueur chez nous a donné entière satisfaction jusqu'ici et nous demandons le maintien d'un tel système.

L'éducation de nos enfants est confiée à la Communauté des Sœurs Grises de la Croix, d'Ottawa. Depuis au delà de 60 ans déjà, ces dévouées religieuses exercent chez nous un véritable apostolat. L'Acte des Indiens visant à réprimer l'intempérance et l'abus des boissons alcooliques dans les Réserves, quoique d'apparence un peu rigide; je crois que les lois en vigueur jusqu'ici doivent être maintenues et appliquées à l'avenir; car une loi qui a pour but la sauvegarde de la morale, de la santé et de la bonne renommée d'un peuple doit être appréciée.

Ces lois contre l'intempérance et l'abus des boissons alcooliques ont produit de bons résultats chez nous. Je suis heureux de déclarer ici que la nation ABENAKIS est une nation sobre; les quelques rares défections qui s'y rencontrent occasionnellement ne sont là que pour confirmer la règle générale. A tout prix il faut nécessairement former un peuple tempérant, c'est la clef de tout succès.

Depuis quelques années il existe au Canada une loi sociale favorisant le Canadien d'une pension de vieillesse; jusqu'ici cette loi a favorisé tout citoyen canadien à l'exclusion cependant de l'Inde. Ci je comprends bien la portée de cette loi, le but est de venir en aide de tout individu qui, parvenu à l'âge de 70 ans n'a pu, en raison des exigences de la vie et des multiples problèmes auxquels il a eu à faire face, n'a pu dis-je économiser un petit pécule pour ses vieux jours.

Si le Gouvernement a jugé nécessaire de venir en aide au citoyen canadien, l'Indien ne devrait pas être exclu de cette aide; lui, tout comme le blanc, doit affronter les mêmes exigences de la vie et a droit comme son frère blanc de finir ses jours dans une sécurité relative; un certain travail dans ce sens est déjà en marche et nous souhaitons qu'il ait une issue heureuse.

Il n'existe pas de traité proprement dit entre les ABENAKIS et le Gouvernement fédéral, traité par lequel ce dernier s'engageait par certaines obligations en retour des terrains concédées par les Indiens, mais par contre, par l'article 40 de la Capitulation signée à Montréal en date du 8 septembre 1760, les Indiens alliés de sa Majesté très Chrétienne seront maintenus dans les réserves qu'ils habitent et ne seront molestés en aucune manière pour avoir pris les armes et avoir servi Sa Majesté très Chrétienne, et auront la liberté de garder leur missionnaire.

Le réserve que nous occupons présentement est un don seigneurial concédé par les seigneurs Crevier (?) de St. François par un acte passé à Montréal le 23 août 1760.

Par cet acte les seigneurs Crevier (?) concédaient aux ABENAKIS par l'intermédiaire de leur missionnaire le père Jacques Bigot, jésuite, une  $\frac{1}{2}$  lieue de terre du front pour en jouir par les ABENAKIS pendant tout le temps que la mission que les Pères Jésuites y vont établir pour les dits ABENAKIS y subsistera; et la dite mission cessante la dite demi-lieue présentement concédée en l'état que les dites terres seront alors retournera aux seigneurs Crevier (?) ou à leurs descendants ou héritiers pour leur appartenir comme auparavant le présent acte. La même année le seigneur de Pierreville céda aux ABENAKIS une demi-lieue sur sa seigneurie. Les deux concessions comprenaient une étendue de 3 milles de profondeur sur environ de 6 milles de front. A l'heure actuelle l'étendue de la réserve de Pierreville comprends un peu plus de 500 acres de terre. Nous pouvons juger par ces chiffres l'étendue considérable des terres que nous avons perdues. Je ne ferai pas ici l'exposé détaillée de ces empiétements, la chose serait trop longue. Je désire cependant déclarer que certaines concessions ont été faites régulièrement, mais que par contre d'autres l'ont été d'une manière illégale.

Comme je l'ai exprimé au début, les autres questions qui intéressent les réserves indiennes en général ont déjà été discutées pour nous par le Président de la Fraternité.

Comme les ABENAKIS ne désirent aucun changement dans leur position de réserve, le droit de vote et la responsabilité de payer les taxes ne nous intéressent nullement, cependant la question du droit pour les Indiens d'élire leur propre membre à la Chambre des Communes devrait être étudiée. Il serait opportun aussi que chaque conseil local ait pleine autorité dans l'administration de leurs affaires locales.

Je termine l'exposé des remarques que j'avais à présenter.  
Honorables messieurs, je vous remercie.

## APPENDIX GF

St. Regis, Quebec,

December 2, 1946.

Mr. Norman E. Lickers,  
Liaison Officer,  
Joint Committee on Indian Affairs,  
P.O. Box 63,  
Ottawa, Ontario.  
Dear Sir:

We, the undersigned, legal representatives of the Iroquois of St. Regis Band of Indians residing within the Provinces of Ontario and Quebec and having assembled on several occasions in open session to consider the text of your letter of June 17th last, hereby declare as follows:

1. No Local Treaties or obligations were produced.
2. We desire no change insofar as Band Membership is concerned.

3. Indians should not be liable to pay taxes.
4. We believe in the voluntary enfranchisement of Indians; Section 110, Subsection 14, Indian Act being omitted.
5. Indians shall be eligible to vote at Dominion elections without losing their rights.
6. Continued enforcement of regulations concerning non-encroachment of white persons on Indian Reserves.
7. (a) The operation of Day Schools to include Indian Lore and history past and present. Pupils finishing Day Schools with fair to good average marks should be encouraged and given an opportunity to attend High School.  
  
(b) We do not recommend young Indian children being sent to Residential Schools and would suggest that Church Societies operating such schools be paid for expenses and improvements so that they do not lose any money; then convert the Residential Schools into High Schools, Vocational Schools and some into Indian Colleges.
8. We recommend—
  - (1) Mothers' Allowances.
  - (2) Old Age Pensions.
  - (3) Choice of Doctors, limited to 2 or 3 doctors.
  - (4) Choice of Dentists, limited to 2 or 3 dentists.
9. We would recommend a mass X-ray of Indians to detect T.B. in the early stage and a follow-up made of suspects, that is a check-up be made regularly until proved satisfactory by a chest specialist. Would recommend supervised Post Sanatorium care of patient upon discharge from Sanatorium. No patient to be discharged until sputum is negative on culture. Patient should be compelled to go to clinic and be checked up regularly. Patient should be cared for until fit and suitable work is found to prevent a relapse. If patient desires to learn a new trade or occupation and shows aptitude, he or she should be encouraged and given an opportunity to do so.
10. We recommend that Section 157 of the Indian Act include women voters.
11. The Council considers the policy of the Department on their road improvements and such projects very good; also the policy of free hospitalization and their concern for the health of the Indian community. The Council hopes this policy will be continued and improvements made where possible with the full support of the Council.
12. The Council opposes the past policy of Departmental consideration given to undesirable elements amongst the Indians who pose as representatives of the Indian and champion Indian causes, but actually whose policy is to create fear and misunderstanding amongst the poor and uneducated Indians by introducing such cantankerous subjects



as taxation and enfranchisement. Such movements have a tendency to create further misunderstanding and distrust amongst our people during such a critical period as this when unity is paramount for success and preservation of the Indian people.

We hereby set our hand to the foregoing document on the day first above given—

(Head Chief) Clifford White

John J. Peters

Paul Caldwell

John Debo

Joe Benedict

Louis Sunday

Mitchell Curry

Dick Lazore

Joseph P. King

Angus Bonaparte  
his

Dick X Lazore  
mark



# SPECIAL JOINT COMMITTEE OF THE SENATE AND THE HOUSE OF COMMONS

APPOINTED TO CONTINUE AND COMPLETE THE EXAMINATION  
AND CONSIDERATION OF THE

## INDIAN ACT

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 34

FRIDAY, JUNE 13, 1947

### WITNESSES:

- Mr. H. Larivière, Indian Agent, Abitibi Agency, Amos, Quebec;
- Chief Michel Penetouche, Abitibi Agency, Quebec;
- ✓ Rev. Father Lalonde, S.J., Caughnawaga, Quebec;
- F. McD. Jacobs, Caughnawaga, Quebec;
- L. E. Beauvais, Caughnawaga, Quebec;
- George Cree, for Lake of Two Mountains, Quebec;
- Lewis Gabriel, Oka, Quebec;
- James Montour, Oka, Quebec;
- Chief Malet Collard, Bersimis, Quebec;
- Chief Clifford White, St. Regis Reserve, Quebec;
- ✓ Rev. Father Jacobs, S.J., St. Regis Reserve, Quebec;
- Joe Mitchell, St. Regis Reserve, Quebec.

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1947





## MINUTES OF PROCEEDINGS

HOUSE OF COMMONS,

Friday, 13th June, 1947.

The Special Joint Committee of the Senate and the House of Commons appointed to continue and complete the examination and consideration of the Indian Act (Chapter 98, R.S.C., 1927), and all such other matters as have been referred to the said committee met this day at 11 o'clock a.m.

*Presiding:* The Honourable Senator W. H. Taylor (Joint Chairman).

*Present:*

*The Senate:* The Honourable Senators Fallis, Horner, Macdonald (Cardigan), McKeen, Robicheau, and Taylor—6.

*The House of Commons:* The Honourable Mr. Stirling and Messrs. Bryce, Blackmore, Castleden, Charlton, Gariépy, Harkness, Little, Matthews (Brandon) (Vice Chairman), MacLean, MacNicol, Raymond (Wright), Reid, Richard (Gloucester)—14.

*In attendance:* Mr. R. A. Hoey, Director, Indian Affairs Branch; Eric Acland, Executive Assistant to Director; B. F. Neary, MBE., Superintendent, Welfare and Training;

also, Rev. J. A. Plourde, O.M.I., and Rev. Father Jacobs, S.J.;

also Mr. Norman E. Lickers, Barrister, Counsel for the Committee and Liaison Officer.

Chief Michel Penetouche, Abitibi Agency, was recalled and questioned.

Mr. H. Larivière, Indian Agent, Abitibi Agency, Amos, Quebec was called, made a statement and was questioned.

Mr. Raymond read in English a brief presented by a group of Indians from Abitibi Agency (Tetes de Boule). Brief, in French, is printed as Appendix GG to these minutes.

Reverend Father Lalonde, S.J., Caughnawaga, Quebec, was called and made a statement in refutation of certain portions of the brief presented yesterday by Mr. Matthew Lazare, and was questioned.

Mr. F. McDonald Jacobs was recalled and questioned.

The Committee adjourned at 1 o'clock p.m., to meet again this day at 4 o'clock p.m.

## AFTERNOON SESSION

The Committee resumed at 4 o'clock p.m.

*Presiding:* The Honourable Senator W. H. Taylor (Joint Chairman).

*Present:*

*The Senate:* The Honourable Senators Horner, Macdonald (*Cardigan*), and Taylor—3.

*The House of Commons:* The Honourable Mr. Stirling and Messrs. Bryce, Blackmore, Harkness, Little, Matthews (*Brandon*), MacLean, Raymond (*Wright*), Richard (*Gloucester*)—9.

*In attendance:* as at morning session.

Questioning took place of the following witnesses who had previously made statements or presented briefs: Mr. Le E. Beauvais; Mr. George Cree; Mr. Lewis Gabriel; Mr. James Montour; Chief Malet Collard, Bersimis; Chief Clifford White; Rev. Father Jacobs, S.J., St. Regis Reserve.

The Chairman thanked all the delegates for the very valuable assistance they had rendered to the Committee.

Mr. M. Lazare, on behalf of the delegation from the Elective Council, Caughnawaga, presented the Honourable Senator Taylor with a "gavel" and Senator Taylor thanked the delegation for their kindness.

The Committee adjourned at 6 o'clock p.m., to meet again on Tuesday next, 17th June at 11 o'clock a.m.

T. L. McEVOY,

*Clerk of the Joint Committee.*

## MINUTES OF EVIDENCE

HOUSE OF COMMONS,

June 13, 1947.

The Special Joint Committee of the Senate and the House of Commons appointed to examine and consider the Indian Act met this day at 11 a.m. The Honourable Senator W. H. Taylor (Joint Chairman) presided.

The CHAIRMAN: Order, please.

Gentlemen, we have with us this morning Chief Michel Penetouche, of the Abitibi reserve. The chief was here yesterday, but it was suggested that we should wait until to-day when Mr. Larivière, the agent of the Abitibi reserve would also be present. Is it your wish this morning to hear Mr. Larivière of the Abitibi reserve agency? That would complete, I believe, the submissions from the different representatives of Indians in Quebec.

Mr. RAYMOND: I believe that the Abitibi brief was not presented yesterday.

The CHAIRMAN: That is what I meant. We had Chief Michel Penetouche present but we were waiting for the agent to arrive. Is it your wish that we should hear Mr. Larivière this morning?

Mr. RAYMOND: Yes. I believe Mr. Larivière could give us the picture probably better than the chief could.

Mr. HOEY: He could probably explain what the situation is.

### **H. Larivière, Indian agent, Abitibi Agency, Amos, Quebec, called:**

The CHAIRMAN: We will have Mr. Larivière act as interpreter for Chief Penetouche; and, possibly before he does that he could give us something of the background of the Abitibi reserve.

Mr. HOEY: Mr. Chairman, I just wanted the Indian agent who is here to explain in a sentence or two why this witness was brought; and also to explain to the committee why a resident from Ontario is brought in on a Quebec delegation.

*By the Chairman:*

Q. Mr. Larivière, what position do you hold?—A. I am agent for the Abitibi Indian agency.

Q. How long have you been agent?—A. Since 1940.

Q. Would you explain the position in which we were placed yesterday with Chief Michel Penetouche acting as representative of the Abitibi reserve. Can you give us some information with regard to that?—A. Chief Michel Penetouche is known to-day as Chief Noble Indian. We should go back on the history of the Abitibi Indians. The Abitibi Indians in 1906 when the treaty was signed formed one band and they came to terms; that is, those who were trapping in the province of Ontario were listed as what we call to-day the "Abitibi Ontario Indian" and those who were trapping in the north of Quebec were listed as what we call to-day the "Dominion Abitibi Indian." Both are from the same reserve, what we call reserve No. 70. Chief Penetouche is the only man of the Abitibi Indians, who are coming before you to-day, who



actually represents all the Abitibi Indians. I may say that most of the Abitibi tribe live mainly in Quebec. Chief Penetouche is recognized as the representative of both groups, both the Dominion and the Ontario Abitibi; as a matter of fact he spends most of his time in summer in Quebec and in the winter time his home is at Low Bush, Ontario.

The CHAIRMAN: That explains to the committee here the position of Chief Michel Penetouche, representing the Abitibi reserve agency. Now, have you any further information to give the committee, Chief?

The WITNESS: He says that is what he came here for.

The CHAIRMAN: Is it the wish of the committee that we hear the chief now?

Some Hon. MEMBERS: Agreed.

The CHAIRMAN: Does the chief need an interpreter?

The WITNESS: Yes.

The CHAIRMAN: Chief Penetouche, do you speak English or French?

Mr. MICHEL PENETOUCHE: English.

The CHAIRMAN: You speak English?

Mr. MICHEL PENETOUCHE: Yes.

The CHAIRMAN: That is all right with the committee, then. Go right ahead.

Mr. HOEY: Mr. Chairman, may I suggest that the members of the committee would secure more information if they put questions and perhaps the agent would put them to the chief as witness. They are doing a magnificent job up there on that reserve in a number of worthwhile projects. It is a wonderful story and I think the committee would be interested in a broad outline of it. I think this man (Chief Penetouche) is not accustomed to this kind of thing. You might put questions to Mr. Larivière and he could in turn put them to Chief Penetouche, and in that way the committee might get a lot of very interesting material on their record.

The CHAIRMAN: Then would you like to go ahead and make a general statement about the Abitibi reserve, Mr. Larivière?

The WITNESS: If you wish me to, Mr. Chairman.

As regards living conditions, I think that is the most important thing with this band at the moment. I think I should tell you at the outset that a few years ago these Indians each under the new beaver fur trapping scheme in the province of Quebec. In my opinion to-day, with their knowledge of trapping and game conservation, that new beaver set-up is giving them a very good living. They more or less depend entirely on that new set-up to secure fur, and they make a very good living.

Housing conditions on the reserve, I should say, compare favourably with what the whites have; I mean, the white settlers in that area.

Mr. RAYMOND: Mr. Chairman, I have all confidence in Mr. Larivière, but I would much prefer if you would try to get the story from the witness. I suggest that he should put our questions to the witness and let the witness answer.

The CHAIRMAN: I think probably the agent was giving us an outline of conditions on the reserve first, and then probably he might act as interpreter for the examination of Chief Penetouche. I suggest that we let him complete his general outline first.

The WITNESS: This man (Chief Penetouche) built for himself entirely out of his own funds from trapping revenues a couple of years ago a house which cost him, I understand, something like \$4,000 or \$5,000. Other houses around there are not as good except for one or two in Low Bush. They are considered satisfactory. As a rule, in the summer time they will work with the Ontario

forestry branch as fire rangers, and a number of them work on the railroad as extra gang employees and some of them do go on as regular section men. Otherwise they carry on on their own. Those are more or less the people living at Low Bush.

There are medical services, and all these Indians are very happy over the set-up; that is, any time they feel like it they go and see a doctor. They proceed as a rule by train from Low Bush, Ontario, to Cochrane.

*By Mr. Bryce:*

Q. How far is that?—A. Approximately, I should say, about 75 miles.

Q. If they happen to be sick, how do they get there?—A. The train goes right by their door.

Q. It goes through the reserve?—A. Yes. The train comes in there in the afternoon and they are in Cochrane about six o'clock.

Q. Does the agent supply them with a pass?—A. These people never ask for railroad transportation. They do more or less like the white people.

*By Hon. Mrs. Fallis:*

Q. What happens when they are too sick to travel by train; is there a doctor there they can call on?—A. There is no doctor at Low Bush either for whites or Indians.

Q. No matter how sick they are the Indians have to go by train to Cochrane?—A. As a rule, especially the Indians, they manage to get to the hospital without too much difficulty. There are neither doctors nor nurses at Low Bush, Ontario. The health department has a nurse visiting every now and again at Low Bush but there is no regular doctor or nurse.

Q. Is there no doctor nearer than Cochrane?—A. That is the nearest hospital.

*By Mr. Bryce:*

Q. Tell us how the children are educated there?—A. The Indians at Low Bush, this is going back again to the Abitibi set-up; years ago, before the band split the band operated summers on Abitibi lake at the old Hudson Bay post. When the Indians gathered there in the summer time the children attended the Indian summer school, but changes have come with settlement and development. These Indians at Low Bush now own their properties and they pay school taxes to the Ontario set-up; but the school is operated only in the summer time without any regular school days and so on. The Indians live in the bush in the winter time and they do not at the present time get any schooling at Low Bush.

Q. Tell us about your agency, how many children on your agency are getting no education whatever?—A. At the present time, leaving out what we call the Indian summer day school, there is no education furnished to our Indians.

Q. They get no education whatever?—A. Not by day school. We operate at the present time five Indian summer day schools.

*By Hon. Mrs. Fallis:*

Q. How many attend?—A. It varies with conditions. This year it will be possible to operate the Indian summer day school only from about June 15 to around September 15, except for Mattawa. Up there teachers are expecting to stay on until freeze-up, any time around November first. All the rest of the other northern points it would be impossible to operate a school before the latter part of June, and the Indians depart again for their traplines very largely by the end of August. At Mistassini, where the Indians operate in the far north, it will be July first before they come down and the schools are opened, and they will have to leave again for their traplines about August 15. That is very

important, especially at Mistassini. They leave for the winter camp not later than August 15; otherwise it would mean that they would miss the fish run, and if they miss that it means that they face almost certain starvation.

*By Mr. Richard:*

Q. How do they live there?—A. First of all, I think I should say that they are a very primitive type of Indian depending almost entirely for their living on fishing and trapping. When they do come down to the settlements we have to get the summer day schools started and we keep them operating until they have to leave for the fall fishing, which starts in the middle of August. They live by fishing and trapping, and they make a fairly good living. In some years it is pretty good. They live off the country, getting their food by hunting and fishing; but their principal means of livelihood is from furs. In the Mistassini and Metachewan areas that applies about one hundred per cent. I should tell the committee that in one area approximately 250 miles south of Mistassini, there is at the present time a very serious situation, although steps are under way to correct it. It arises from what we call the Bois reservoir on the St. Maurice river which has flooded an area which has a shoreline of over 2,000 lines. The result of that is that the country which was furnishing the Indians their living in the way of fish and fur has been more or less wiped out. This is a very serious condition. It meant that they had to move from their old traplines into other areas which were not so good. Then the pulpwood operators came into the country, mostly during the war. They have cut on new limits. Briefly, the Indians today have more or less no such thing as an understood trapping ground. A few years ago the matter was taken up with this idea; it was discussed with Mr. Conn and we arranged the plan with the province of Quebec to set up what we called registered traplines, and we have introduced into that area live beaver. The latest information that we have on it is that the beaver are coming on very well, and will repay the cost of the venture within a few years, and the Indians will again have a source of income from beaver.

Mr. BRYCE: Is that entirely for the Indians?

The WITNESS: Well, it is and it is not. We discussed the matter with the officers of the province of Quebec Department of Game and Fisheries and made an arrangement with them by which the Indian would be given priority on anything they asked for. I believe that is working out pretty well and that there are only one or two people outside of the Indians who benefit from this arrangement. The Indians are afforded a measure of protection through the registered trapline. I might add that the department has agreed to pay the Quebec government for leases for the benefit of these Indians because the Indians could not possibly afford to pay for it themselves, and had the department not taken the initiative the white trappers would have taken up all the ground. The arrangement is working out very well with the exception of one point which is now being straightened out with the provincial government. The only thing we haven't got there which we would like to have set up is what we call the Indian lore; that is, the Indian way of trapping. I understand that Mr. Conn is also taking that matter up with the provincial authorities and we hope shortly to have an arrangement under which the method of development under what we call Indian lore may be again possible.

Hon. Mrs. FALLIS: I was just going to ask you, when they move their wives and families into the bush, what sort of living conditions do they have?

The WITNESS: Well, I said that my Indians were very primitive; they live in a primitive way, of course; which means that they live very close to nature. I might, by way of example, tell you something of my own experience. When I was a young man and went into that country around James Bay to



trade, the Indians used to live in wigwams or tepees and moss huts on their reserves. I remember as a young trader we used to see them in their tepees or wigwams. Now they practically all use tents. These tents are put up on a good log frame, they are very well built. When it comes to moving into the bush on trapline work they take the tents along with them. When travelling over the trapping ground they may put up small tepees, but we have to-day. I am pleased to say, no Indians living in any of those tepees or moss tepees, which were terrible.

Hon. Mr. HORNER: What do they use to put them up with?

The WITNESS: They use logs in our area, particularly around Mistassini.

Hon. Mr. HORNER: How do they travel?

The WITNESS: By canoe. They also use outboard motors. Right now up around the Mistassini area we can figure roughly about one outboard motor for every twenty-two Indians. They work on a co-operative basis in groups with them. As I say, these Indians on my reserve live a primitive life. Most of these Indians have camps which compare very favourably with the cottages of the white people in the area.

Mr. RICHARD: What do they live on? You mentioned fish—do they bring in a certain amount of their food with them?

The WITNESS: Probably again it would be well for me to go back a few years. A number of years ago when I was a young trader, if the Indian called on the store to get credit he would probably be satisfied with one bag of flour, 100 pounds. He would figure that would do him the whole winter, he and his family. Now these Indians up in that area are using anything from four to six bags of flour or more—I would say on the average about six bags of flour to the family, and others things along with that. They consider that to be ample to carry them over the winter.

Mr. RICHARD: How is the health?

The WITNESS: The health in the Mistassini, I will explain. In 1941 in Mistassini, I am sorry to say we spent approximately five weeks, and there was not a single Indian that was not thoroughly examined by the doctor and we got a very close record and we compiled our figures and we estimated at that time that there was approximately between fifty and sixty per cent of those Indians exhausted, or what we call in very poor shape. Since, at Mistassini, we have gone into the matter and we were talking to Mr. Hocy verbally when he was in charge of welfare and we went right ahead. We have outfitted these Indians and we have insisted that they live in their own tents, every family in their own tents, and to-day at Mistassini we have a nurse. By the way, on June 7 we sent out a trained Indian interpreter. I mean by this that we have taken a very intelligent Indian girl from another band and we have placed this girl at a hospital for training so that she can interpret to those Indians in an intelligent manner. It is almost impossible. There is no such word in the Indian language, amongst the primitive Indians as the word "thermometer", or "vaccine." Those things the Indians do not understand. So we are doing effective work in that country now. We went to work and arranged for the training of an Indian girl that could talk some English and some French and some Indian. As a matter of fact the girl, when we sent her to the hospital could hardly say a word in French and very little in English. This girl was trained to become an interpreter. The hospital was instructed to show this girl everything they use for the treatment of an Indian. They explained to her what they do it for so when she gets back into that country she will be able to tell the Indians in her own language what these things are meant for and not to fear the use of them and so on. Well the results have been very encouraging. We are trying to find other girls to become what we call trained interpreters for that service.

In that area we have a very serious problem. We undertook a tuberculosis survey, probably the first one undertaken among primitive Indians. We use for that purpose what we call the Vollmer Patch Test. We carried it on for three years and we removed from that part of the area all Indians who were in our opinion contaminated with tuberculosis. For that purpose we made arrangements with the Roberval Hospital to accept all the cases we could discover on the spot which required sanatorium treatment. The other class is what we call suspects and they were transferred to another hospital which we were using as a clearing point to establish if these Indians actually are infected or not. If they are infected they are transferred to the Roberval Hospital and I am pleased to say that in the fall of 1946 at Mistassini, as well as all other Indians in my agency, there was not a single active tuberculosis case known to us there. All this was going on with practically no communications; we had to use aeroplanes and it is difficult; we have to put up with the weather, which, by the way, is something terrible. However, we did it and we were very fortunate in that we had such a man as Dr. Armand Frappier, of the University of Montreal who took a further interest in our work. Last year Dr. Frappier came in with me and we visited what we call Waswanipi Indians. Dr. Frappier is probably the greatest expert in tuberculosis, and particularly vaccination, and to see if our work was standing up, he made a further careful examination on the ground. Dr. Frappier has recommended to Dr. Moore that we go right ahead. Now since we have already vaccinated many of our Indians with a B.C.G., and, at the time I am speaking to you we have five nurses in the area. We hope by this fall that all Indians will have been vaccinated with B.C.G. against tuberculosis. We hope next year we will have only the newborn children to do. We will go further in order to prevent T.B. We have already made an arrangement with various hospitals and doctors that they will take care of the newly born as they come along, as rapidly as they can. I am pleased to say I am just back from Quebec and I communicated with Dr. Michaud who is really our T.B. man, and he told me he was sending back home fourteen Indians as cured and those particular Indians had a very short stay at the hospital. As a matter of fact we were able on this recent trip to make arrangements and we will be able to provide for all Indians with T.B.

Hon. Mrs. FALLIS: May I ask just the witness a question there. In dealing with the people you refer to as suspects, have you any way of getting them proper diet, milk, eggs, and fresh fruit?

The WITNESS: I am pleased to explain to you. It is quite a problem. I will give you an example. Say we take a family from Mistassini and we bring them into the hospital through the regular channels and we find amongst this family that two of the children are considered borderline cases and we are of the opinion, or the doctors are of the opinion, that they would probably be just as well at home. In these cases we provide the whole family with assistance in the way of food and we do make sure that they will not run short in the wintertime. If it is necessary we will ask the other Indians to help them carry this food back home with them so they will not run short and using this plan to take care of these primitive Indians, I am very pleased to say we have many of our children, even entire families, on the following year's check-up that were found improved and well. I will say it is a difficult task and we require a good set-up and everybody must work all the time or else it cannot be done because we have only two or three months in which to do the work.

*By Mr. Richard:*

Q. How many have you got? What is your total population on the reserve in Quebec?—A. In Quebec I should say this. There is no such thing as a reserve. We always refer to Indians living on the reserve but my Indians are not living on the reserve except three bands. Those three bands are the Manawan, Obedjiwan

and Mistassini. Those are the only three reserves we have in the agency and the others are living on Crown lands. They have no title and they have no right, they have absolutely nothing except they are tolerated. Since a number of years ago I have discussed with Mr. Hoey the possibility of getting land for these Indians for it is only natural that an Indian have his home just like any other person. I am aware that the department has been negotiating with the province of Quebec with a view to securing land to establish a reservation for them but I cannot say at the present moment how far the department has got with that.

MR. HOEY: What did you say the total was, 2,400?

THE WITNESS: I cannot give you an exact figure, because I have not any memorandum or notes with me. It is 2,400 though. While we are speaking about population I am very pleased to say that when we started the agency in 1941, although I had been with Indians all my life, I had never seen anything so discouraging as when I took over. As a matter of fact on my first visit to one of these Indian bands I sat on the wharf with the doctor and almost gave it up. I am pleased to say however, through good encouragement by the department we have had regular and steady increases of population every year. We have stopped this decrease from tuberculosis and epidemics of diphtheria, typhoid and so on. There is no such thing to-day.

Q. Where do you make your headquarters?—A. At Amos.

Q. How far would that be away from the farthest Indians?—A. Mistassini is the farthest away which is approximately 250 miles from Amos by air. By canoe to get there it means at least 125 by rail and 200 miles by water.

THE CHAIRMAN: Well, this has been very interesting Mr. Larivière. Now, I wonder if anyone has any questions of the chief?

MR. HARKNESS: I wonder if the chief has any statement he wants to make himself.

THE CHAIRMAN: Would you like to say something to this committee on behalf of your Indians, Chief?

CHIEF PENETOUCHE: Do you mean about trapping?

THE CHAIRMAN: Is there anything you want to tell us?

CHIEF PENETOUCHE: Yes.

THE CHAIRMAN: Will you speak louder?

CHIEF PENETOUCHE: Yes, but I cannot speak loud very much.

MR. BLACKMORE: Could not this gentlemen repeat it?

MR. GARIEPY: Has he got any grievances?

MR. RICHARD: What improvements can he suggest?

THE CHAIRMAN: Well let us get some order to this, the reporter cannot get anything here from our side conversations.

MR. BLACKMORE: One thing I did hear him say Mr. Chairman was that they should have blankets. They want some blankets, and I think with a little encouragement he would tell us other things.

THE WITNESS: That is what he said.

CHIEF PENETOUCHE: Another thing, there will soon be no grub, there is hardly going to be anything this winter because there are no rabbits.

THE WITNESS: He said they are going to be short of grub, by this he means food, because the rabbits are dying off.

THE CHAIRMAN: Now is there anything else?

CHIEF PENETOUCHE: They need more clothes in the wintertime.

THE CHAIRMAN: Would you repeat that please?



The WITNESS: He says they need clothes for the wintertime.

The CHAIRMAN: All right, that is administrative; is there anything else Chief that you wanted to tell us, if not you could probably step aside.

*By Mr. Bryce:*

Q. Just a moment now, has this agency got no band funds?—A. In my agency there is no such thing as band funds because they have no money.

Q. You have told us in your remarks something about this 2,000 mile shore-line that had been created by damming up and setting in a power-plant. Was there nothing paid for that?—A. When this was built the Indians were living on the old reserve on a small plot of land. The Quebec Stream Commission flooded it and they came to terms with the Indian Department. It was before my time but I know the story. They agreed to remove these Indians to wherever they wanted to live. They had to select a spot on what we call the Obedjiwan and the Quebec Stream Commission agreed to replace their houses that they had on the old reserve.

Q. But was there no compensation for removing them from one place to another?—A. No, the Quebec government did not need to do that, it was not even compulsory for them to live in the houses, it was just a gesture of good-will on their part.

*By Mr. Richard:*

Q. Is there any farming at all? Do you do any cultivating of the soil?—A. They do grow potatoes and we supply them with seed and various things that way.

Q. You spoke of them having good homes?—A. Yes, this man has a good home.

Q. But they do not occupy those homes except for a very short time?—A. Absolutely, they live at home until fall when they go out and they return in the spring.

Mr. BRYCE: I do not understand. These Indians are the original settlers in this country and then Quebec says to them you have no land and you have no nothing. I do not understand that. They were the first settlers in this country so they should have some land to live on.

The WITNESS: I understand through various information we have had from the officials that the province of Quebec was asked to set aside land for the Indians. I understand that the province of Quebec and Ottawa agreed to set aside a limit of 300,000 acres of land for all these Indians, but so far there was only so much taken up. I understand there is something like 260,000 acres yet to be given to the Indians.

Mr. BLACKMORE: All over the province?

The WITNESS: All over the province. It seems that reserves like Maniwaki and the others must have the acreage figured out and deducted from the 300,000 and whatever is left may be distributed among the Indians.

*By Mr. Lickers:*

Q. The area the Indians are occupying for their hunting and fishing grounds would cover a lot more than that?—A. It is strictly Crown lands and they are only tolerated to live and trap, but they have positively no right to be on the land.

Q. I think they have the first right.—A. Naturally I agree with you in that. These Indians have the right to be anywhere in the country as far as I am concerned but in the province of Quebec the Indians have no legal right or toleration in the province.

Hon. Mr. HORNER: What is the condition in Ontario?

The WITNESS: In Ontario when the treaty was set up there was a reserve created to take care of the Quebec Abitibi, and what they call the Ontario Abitibi, but that reserve was never supplied and the Indians never lived on it.

Mr. BRYCE: They still have it for trapping?

The WITNESS: It is only a small reserve. For example, this reserve I speak of is about 30 square miles and these people have their trap lines covered by the registered trap line set-up for over 2,000 square miles. The reserve as it is to-day is just about enough trapping ground for a small family.

Mr. RICHARD: What about the religious education, have they missionaries?

The WITNESS: All these agencies have missionaries, my agency, the Waswanipi, the Mistassini and so on.

Mr. REID: It might be interesting to go into this question. It always seemed to me the Indians of the province of Quebec were of a different class from the other provinces. History, as I have read it, shows when the French first had Quebec they just said to the Indians "you are a conquered race and you have nothing here", and it was not until the British came in that they got treaties and reserves were established. Now it appears, according to the evidence we have heard this morning, that in the province of Quebec the Indians are still in the same class as when the French government took them over, and I think it might be well for this committee to find out if nothing was done to help them as happened in the other provinces.

Mr. BLACKMORE: Am I right when I understand that they are 260,000 acres short of what the Quebec government agreed to give the Indians?

The WITNESS: I understand the agreement is that the province had to allot 300,000 acres and a deduction has yet to be made of the reserves which are set up but there is still 260,000 acres they could give. I do not know if you could compel them to do so.

Mr. CASTLEDEN: I wonder if Mr. Hoey would give us a statement on that?

The CHAIRMAN: I think Mr. Hoey will be appearing before this committee and we can go into that later. I think we should carry on with the witnesses here and get all we can from the Indians of Quebec.

Mr. CASTLEDEN: Could we clear up the one point so we could know whether we are discussing what is right or not?

Mr. HOEY: Well I could not make a statement off-hand.

The CHAIRMAN: He would prefer to wait.

Now we have several delegates that appeared before us yesterday and we shall have the opportunity of questioning them to-day. Have you anything further to ask of the agent, Mr. Larivière or the chief.

Mr. BLACKMORE: I would like to ask the agent if he can speak to this chief in his own language?

The WITNESS: I understand some Indians but I cannot speak well. Usually, this man speaks fairly good English.

The CHAIRMAN: Would he prefer to speak in Indian?

The WITNESS: This man at home, when he is visited by me, or other people, carries on a fair conversation in English and usually expresses himself very well.

Mr. BLACKMORE: Is there an interpreter who could understand this chief?

The CHAIRMAN: I think from what I have heard he speaks English probably very well.

Mr. BLACKMORE: I would like to ask him some questions?

The CHAIRMAN: Ask him and see how you get along.

Mr. BLACKMORE: Do the Indians receive any clothes from the government now? Do they get any clothes from the government?

Chief PENETOUCHE: Not since last fall.

Mr. BLACKMORE: How much did they get last fall?

The CHAIRMAN: We did not get that answer.

Pardon me, Mr. Blackmore, I am just informed that we still have three other representatives here from the Abitibi reserve. Probably we could do this all at once and question them with regard to the Abitibi reserve by calling up the other representatives.

Mr. RAYMOND: I believe they speak French only.

The CHAIRMAN: Well, I would like the committee to keep in mind its desire to finish at one o'clock. We have about four other delegations that appeared before us yesterday to question besides this delegation that has appeared before us this morning. Now I would ask the committee to govern themselves accordingly and get as quickly as possible the information which they want.

Mr. BLACKMORE: I would like to know how much clothing is issued to them normally each year? Now whatever is the best way to get that I do not know and I would like to have direction. These people are going into the far north where it is excessively cold and they will need warm clothing and lots of it.

Mr. GARIEPY: The agent should know.

Mr. BLACKMORE: If the agent knows we will let the agent tell us.

The WITNESS: In my agency there is not a single Indian family which is not visited by me personally and that is called the annual visit. Whether the Indians live in a house, or in a tent, or in a canoe, makes no difference to me. I must see every one of them annually. When I visit the house I will not tolerate anyone except the chief and the members of that particular family being around. Friends, and relatives, must all go out and the Indian is able to say to me all he wants to say. If it is necessary I will listen to them for half a day, or half an hour, or two hours, it makes no difference to me. Those Indians are all adjusted at that particular moment. I take into account their medical history and their previous revenue, that is the past year's revenue and prospects for the year to come. I will illustrate this by giving an example. It is practically the same as I said a moment ago. We have a complete set-up and a complete record. If we go into a family where there is a young man, the average person might think he was strong and healthy and able to look after his family, but it might not be so. I do not take that into account. I have to take into account his medical record. If the man is one of what we call the suspected T.B. cases but it is not definitely established as a T.B. case but if he has any other defects, for instance, if he is a cripple, we will usually make a point of giving him all he asks for.

Mr. LICKERS: Do you carry all your supplies with you at the time of the visit?

The WITNESS: The store issues to the Indian what he needs and it is a matter for him to say which store he wants to get it at.

Hon. Mrs. FALLIS: Do you give the order to the store?

The WITNESS: I give the order to the Indians and they take it to the store themselves.

Mr. BLACKMORE: Whatever they ask for?

Mr. BRYCE: Mr. Larivière, how do you get all this information when you do not speak Indian?

The WITNESS: I usually use an interpreter.

Mr. BRYCE: Why did you not bring your interpreter to-day for the chief?



The WITNESS: As far as I am concerned this man talks English every time I have seen him. I get along very well with him but I believe it is because he is in a strange area, I think that is the reason why he does not speak up.

The CHAIRMAN: Gentlemen, I have been informed that these three gentlemen from the Abitibi reserve along with Mr. Lariviere have a brief that they would like to submit to this committee. Is it the wish of the committee that the brief should be heard?

Hon. Mr. HORNER: Before we hear the brief I would like to ask a question.

*By Hon. Mr. Horner:*

Q. In view of the fact that you know the wants of the Indians and the type of clothing which is being given out, do you not think it would be a good saving if you handled the goods yourself rather than send the Indians to the stores?—A. In our agency the distribution is impossible along those lines, because these Indians do not live on reserves as do the Indians in Caughnawaga; they are scattered all over the country. As a matter of fact, our trappers cover an area equal to one-fifth of the surface of the province of British Columbia. To distribute our relief supplies and clothing and other things ourselves would mean practically taking over all these merchants. They are not centralized on the reserve.

*By Mr. Lickers:*

Q. Have you enough assistants to help you do these things? It must be quite an undertaking for you each year.—A. At the start—the first year—we established our system and then we went on from there. As a matter of fact I have discussed this matter with the department that help would be necessary and at one time they took the matter up with the Civil Service Commission, but it was delayed by one thing and another. We did get help in the field in 1945, but I must admit that every year after I make my annual visits I am exhausted and it is about the month of February or March before we have completed all our work and established our position to start out the following year.

Q. Could you give us some idea as to what other assistance you require?—A. We now have a clerk. We have a very capable girl in the office; but as regards staff, other help, the matter was discussed one time with Mr. Hoey and I understood that he was considering applying for additional help.

Q. How many more of a staff would you want?—A. At the time I discussed the matter I asked for a girl and a man in the office.

The CHAIRMAN: Gentlemen, I do not like to interrupt, but it has been customary to hear from the Indians first and then to hear from the agents. We could question the agent afterwards. In this case we brought the agent in to help the Abitibi Indians along, but I would suggest that we should probably later hear the agent with regard to these matters. We have this group from that agency here now and they have a brief which they would like to present to the committee. Is it the wish of the committee that we hear that brief now? Is it in English or French?

Mr. RAYMOND: It is in French.

The CHAIRMAN: I am afraid I shall have to impose upon Mr. Raymond again and ask him to act as our interpreter.

Mr. BLACKMORE: While you are deciding this matter, I wonder if I might ask the agent if he can recall about how much money is required a year to give the Indians clothing?

The WITNESS: I cannot give you the figures for clothing or rations separately, but we have given in my agency—Mr. Hoey can correct me if I am wrong—with regard to direct issues paid to the Indians when the Indians were facing

more or less a serious crisis we paid to them approximately on welfare, medical and local accounts something like \$100,000. I will say this, that never has the department questioned any of those accounts. I have been coming to Ottawa sometimes once or twice a year to present my problems to the department and never have I been refused anything for these Indians.

The CHAIRMAN: Now, Mr. Raymond, would you please read the brief? This brief will appear in the record in French.

(Brief appears as Appendix GG to to-day's report.)

Mr. RAYMOND (translates): June 17, 1947. The three main groups called Tetes de Boule, Obedjiwan and Manaouan et Weymontaching expressly wishes as follows:—

1. That the rights and privileges granted in favour of the Indians be maintained without any of the present favourable privileges being abandoned.
2. That the present legislation concerning admission of members to the band be maintained with the exception of a white person married to an Indian woman.
3. We are opposed to the enfranchisement of the Indians, either voluntary or in any other way.
4. We do not want to pay taxes.
5. We do not wish to have the right to vote.
6. We want the exclusion of white people from our reserves with the exception of religious or lay personnel which is approved by the authorities for educational and religious purposes.
7. We want better school facilities and we request a hospital and orphanage at Saumaur, Quebec;
  - (a) a hospital having fifty beds or more; and twenty-five beds for those suffering from T.B.;
  - (b) schools for poor children and orphans.
1. Urgent need of an agent for these three groups speaking our language.

#### PERSONAL PROBLEMS

(1) The case of a sick person in hospital—Roberval, Caughnawaga, La Tuque, N.B.—a hospital with a sanitarium. There are at present twenty cases of T.B.

(2) The case of the crippled children or feeble children whose parents are unable to work or to hunt.

(3) The case of five or six old persons who should be hospitalized during the winter time. These persons are really charges upon their families and those families are poor and have other troubles.

(4) Material help to be furnished to the Indians in order that they may build good little homes, to be supplied with nails, tar paper and flooring. At Obedjiwan and at Manaouan it is not possible to secure boards and so on. Since the establishment of the present agency all help granted in the past has ceased. The present agent is not in favour of better homes for Indians. To a chief who has built a good little home the agent had for him very few encouraging words, and the same remarks were made to one named Claude Flamand of Manaouan. It is reported that now we have persons at Obedjiwan who have no home on the reserve and homes cannot be found for three different families.

At Obedjiwan it will be necessary to rebuild at least forty-five homes. They should not ask the Indian to live in a tent for months in the summer time, because if we do that we go back thirty-five years.

(5) There are at the present time five or six widows who should hunt but they have no canoes and they cannot buy a canoe. Can the agent do



something? The canoe is necessary for Indians to do trapping. I know three chiefs who have to stay all the time on the reserve in order to look after the sick persons and so forth. These chiefs cannot go away into the bush and hunt and so forth and they lose around \$800 to \$1,000 a year. If it is the wish of the department would it be possible to grant to these chiefs a sufficient amount or an equivalent amount to that which the chiefs are losing?

(7) We express the wish that a system of trap lines be organized. We realize sometimes there is no justice in the appropriation of the land for that use. The present agent has taken from Paul Mequest his best land for muskrats. They propose to the Indians 50,000 square miles. The surveys map is marked in townships. When we go to hunt it is not the same thing at all. The beaver does not build his shelter on a rock. In a matter such as this the people primarily interested should be consulted, that is to say, the trappers. Here we face the problem of the clubs. They take from the Indians there much territory and give it to the white man's organizations. Our Indians had to abandon moose hunting, and they request that they be allowed to keep the right of trapping on these lands. A better agreement with Quebec is also expedient, else we lose all our hunting grounds. Further we ask for more mating beavers.

(8) We complain about the way the family allowances are remitted to us. We have received at Weymontaching articles which are absolutely useless, clothing or shoes too large, and so forth. We are under the impression that the storekeepers give us what they cannot sell, and the present agent should pay more attention to this matter and give necessary instructions to certain stores, giving the necessary instructions to certain storekeepers in order that they deliver food for the children at Weymontaching, Saumur, La Lautre, Oskalanee, etc.

(9) There is a lack of drugs to take care of Indians who are sick, during the winter time more especially. These would help to fight grippe and colds and so on.

(10) At Weymontaching during the summer the Indians on the reserve want to cut about 800 or 1,000 cords of pulpwood every year. That money would help the living of the families. This year as well as during last summer lumber has been cut by them on the reserve of 700 miles of the Hudson bay. The Indian reserve is 7,400 square miles.

(11) At Weymontaching on the territory of the reserve there are to be found 771 acres belonging to the Hudson's Bay Company. Many Indians have built their homes on that land. We have asked Mr. Lariviere in the past to buy those lands on behalf of the government—those lands occupied by the Hudson's Bay Company. They would be good for cultivation. As the pulpwood has been cut we believe they could be bought at a very good price. The Indians would then be at home and they could have gardens.

#### PROJECTS

The undersigned ask that they be given an agent who could organize for them:—

(1) Organize a co-operative to pick and sell small fruits, especially blueberries at Obedjiwan and Weymontaching. This year we have large quantities of blueberries which cannot be sold on account of lack of market at Saumur.

(2) The same organization could be established near Obedjiwan for fishing.

(3) This agent should try to find seasonal work for the Indians;

(4) This agency should organize a systematic way to cut pulpwood on the reserve at Weymontaching, and to promote home industries, such as making



bark canoes, bark baskets, and so forth, and find a market for those things. Also the construction of small houses with the assistance of the department.

The agent in charge of Tetes de Boule should be established there on the reserve in charge of the Indians and not only come there once during the year but much more often and at any time we need him.

#### COMPLAINTS AGAINST THE PRESENT AGENT

The undersigned agree but regret to say that the present agent, however great his intentions may be and his desire to help the Indians:—

(1) At the present he does not have the time to do his work. As of the 6th of September, 1946, the agent had not yet visited the reserve of Tetes de Boule. We badly need him and we have not seen him at Obedjiwan since the beginning of June. This has caused loss of time and work to some of us.

(2) The present agent does not seem to favour day schools for the Indians or the project of building homes for these Indians.

(3) The ration of Joseph Antoine Connelly of Weymontaching was struck off. Furthermore, it has been proposed to have Antoine Connelly sent back to Pointe Bleue. His two children are married and are living on the reserve at Weymontaching.

(4) We stress the case at Obedjiwan, of Simon Auachich whose ration has been struck off—also that of his wife—without any real reason.

(5) We regret also that the agent has had fits of temper and so forth, more especially on certain occasions. We do not believe any more what the agent says. This is very unfortunate because we thus lose confidence in the representative of the department.

The CHAIRMAN: Now, we will proceed with the examination of those who appeared yesterday. We finished with the first group from the Caughnawaga reserve, and now we have to hear Mr. Beauvais, Mr. Delisle, Mr. Jacobs and the Rev. Father Lalonde, S.J. I will ask them to come forward and we will proceed with questions on the brief which they put in yesterday. Father Lalonde, do you wish to make a statement before we start questioning?

Rev. Father LALONDE: Mr. Chairman and members of the joint committee, I appreciate this opportunity for expressing our side of the story, especially as I am concerned with certain articles laid down in the brief presented here yesterday by another group. I really understand the situation and can appreciate the difficulty of the committee. Two groups have come here both claiming to represent the majority of the Caughnawaga Indians, and you gentlemen have not been on the reserve and do not know the conditions; therefore it is very hard for you to form an opinion. It was suggested by the other group yesterday that an investigation should be made of the reservation, and we agree to that. I think we can face that ordeal.

Now, in order to throw a little more light on this subject of the real representation of the reserve, I would like to stress a few facts that were brought out yesterday. First of all, I will quote from the official Indian census of 1944 as regards our mission and the Indian population. It is laid down there that the Indian population is 3,010. The Catholic population is represented as being 2,682; the Protestant population is 251; and those noted in the census as pagan or aboriginal Indians number 77. That makes a total of non-Catholics of 328 as against 2,682 of the Catholic faith, which represents a difference of a little better than 90 per cent of Catholics.

There is another fact I wanted to state which was admitted last night in questioning. Of the total population at Caughnawaga the non-voters represent about three-quarters of the population; therefore the voters of Caughnawaga represent about one-quarter of the population. That was admitted last night.

They are represented by a council which is elected at Caughnawaga annually. I may say for your information that the present council was elected by acclamation in January last. What grounds they have for complaint on that score, I do not know; but at least that shows that there was no opposition as far as the present council is concerned. That is the explanation as far as I can give it. It was also stated yesterday that a good many of our natives are able men and are earning their living outside of the reserve, and that many of them go to the United States for work and are away from home a good deal, but they are not back in town for the council elections. Another reason was that at the particular time there did not seem to be anything particular to worry about. Also, there did not seem to be any special reason for those who have since presented opposition to have anything to worry about what might come up from this council as regards education especially; and that is what I am particularly interested in.

Quite recently however, we heard that this group was preparing to present a brief to your committee. That was in fact presented yesterday by Mr. Lazare. It was to deal with our residential schools and their opposition to the present system. Naturally, as pastor of that parish it was my duty to arouse the attention of our Catholic population, members of my flock, to the danger to the faith, since we adhere to the brief which was presented here some time ago—I think a little over two weeks ago—by the Catholic hierarchy. They referred to that in the brief which was presented here yesterday. With that thought in mind a group of Indians got together and discussed the situation and thought it was advisable to call a band meeting in the usual form, in the old tradition of Caughnawaga, which was from the pulpit on Sunday; so after mass I announced that there would be an official band meeting at the parish home next to the church. Members of the officially elected council were there standing near the pulpit. There were some I could name who are here to-day and who are present listening to me, and they knew that the meeting was to be held in the evening at eight o'clock. At that meeting, officially and honestly announced, were present—it was stated last night, we haven't got the exact figures, that perhaps there were 250 there—I would say in my estimation it would be closer to 200 than 250. Also present was Rev. Father Jacobs, an Indian priest, of the Society of Jesus, pastor of the St. Regis mission, and he is here to-day.

The proposed subject matter of the meeting was mostly to defend what we thought were the Catholic rights in the present system of education as we have it on the reserve. There was an official chairman and he presided over the meeting as was noted in the minutes presented in our brief yesterday. The object of the meeting was carried out. Everybody was unanimously agreed. A number of questions were raised there and they were taken up one by one. One saw the unanimity of opinion, the questioning expanded; we would ask those to stand up who were in favour of keeping the present system of education as we have it now on the reserve. We have a Catholic school and we have Protestant schools also. When that question was admitted unanimously they decided that perhaps they would have other representations to make to the joint committee. They appointed from among the group there present a committee who got together several times and prepared this other brief; and that is the reason for our being here to-day.

Now, gentlemen, let me answer briefly some of the charges that are made against our schools and against the exercise of our religion as it is referred to in the brief. I refer particularly to page 4, paragraph 7, of that brief.

The first point they raise is:

"We do not approve the nuns or sisters of Ste. Anne's to teach our children as they do not teach our children enough, the only thing they learn is praying and singing and marching to church during school hours, also they get holidays for a priest's birthday, etc."



Well, in answer to that, I think the best thing I can do is to refer you to the inspector's reports which must be in the hands of the Department of Indian Affairs. If you would like the correct answer to that charge I would ask you to look at those reports; I refer to the charge that the Sisters of Ste. Anne do not teach the children anything, that the only thing they learn is to pray and sing and that they get holidays on the priest's birthday. You will find the answer to that in the inspector's report. The inspector is Mr. Westcott, who is also the inspector for all the English-speaking Catholic schools in one district in Montreal. You can also get some information from the Department of Indian Affairs, from Mr. Hoey. As to the instruction given on the reserve by our Catholic nuns, the Sisters of Ste. Anne, in the past, I am sure the reports would be favourable.

It was also mentioned, not in the brief but in the subsequent questioning, that some of our pupils receive a part of their instruction at Caughnawaga in the English schools, and that many of the pupils are so far behind that when they go on to higher schools they sometimes have to be put back as much as three grades. In answer to an accusation of that kind I can give you examples. Of course, it may be that there is one factor, the pupil himself. That could be investigated. But, by way of a general statement I can say that personally I know some boys who left our school to attend the Victoriaville Sacred Heart college, whom I visited myself and questioned and about whom I had received information directly from the director of the school, and he claims that they are among some of his best pupils, and one of them especially is the best in his class and has been almost since he started attending that school.

"We do not approve the rebuilding of our burnt school unless it becomes a public school which takes children of all religions and teaches them. Same as the Protestant school system of Montreal, which is one of the highest form of education in Canada. We demand qualified teachers with degrees for teaching, to teach our children. The creating of vocational section and also the creation of a technical branch."

In answering that I will refer you to page 5 and 6 of our brief. Unfortunately for us our brief had not been printed in a sufficient number of copies to enable us to give one to each member of the committee, but additional copies will be available in a day or two and you will then have them.

Now I come to another point:

"We demand these things because our children deserve the best form of education this country can give, to be prepared to meet and conquer the industrial and professional world of to-morrow."

Before I answer that, I may say we are agreed to that principle, I will go ahead and read the rest of this section:

"We also complain and object to the behaviour and activities of the Jesuit society, who are in control of our church."

I may tell the committee that I am a member of the Jesuit society myself, and I am very proud of that fact. And it goes on:

"They are meddling in the affairs of this band when all they have a right to do is be spiritual advisers."

Now, I want to state the principle that a pastor in his parish according to the doctrine of the Catholic hierarchy must—I will not use the word "meddle", for I personally resent this accusation, care for his flock. However, I do want to tell you this; that in principle the pastor in his parish has as his first duty to seek the welfare of his children as far as teaching the doctrine, the faith, is concerned. He is also the spiritual adviser and pastor, the spiritual father of his flock. Naturally he exercises a certain influence on his people who are



inclined to come to him as their father and explain to him perhaps their grievances and their problems and leave it in his hands, or secure advice from him; and also, perhaps, to get protection, if need be. As far as this particular charge is concerned, it has always been my policy in the past to withdraw and refrain from "meddling", as the statement puts it, in affairs which are strictly affairs of the band; although at times it was next to impossible to keep myself from being implicated in it because of the different factions which just now prevail on the reserve. Just lately this case came up. We thought our religion was really concerned. We took definite sides. And then, at the close of that particular discussion on education I made a statement to a group of persons around the pulpit. I said exactly what I told you a while ago about my policy in the past; but, notwithstanding all that I have been accused repeatedly of "meddling" in Indian affairs. It will be my policy in the future as I said to do all I can as your spiritual adviser and as your father here to help you even in your Indian affairs if I am able to do so; not in your administration, you have a whole organization for that; but to help you in any representations that you would need or any advice that perhaps I could give you; that is going to be my attitude in the future. It is also my duty to do so because I realize more and more now since their brief has been presented that there is a very real danger coming from the other side as was expressed here yesterday.

Now, returning to the particular charges laid down here:

We are capable of handling our affairs without interference from outsiders. They have set themselves up in business in a big way.

I wonder if that was meant to be a compliment. Let me read the whole thing and then I will comment on it:—

They operate bingo and euchre games of chance, these games are in the category of gambling. This teaches our children to take chances, thereby become gamblers. They also operate a movie house, dance hall and pool room. They no longer preach in our native tongue, but insist on preaching in French and English only. This Act threatens the extinction of our beloved language, which the people will not tolerate for long.

I will take these one by one. "They set themselves up in business in a big way": you are all aware that in every parish there are these parish organizations to help not only in a social way to get the parishioners together but also to help in raising funds for the upkeep of the church or other activities conducted on the reserve or such as will be found in almost any parish as a rule. It is from this that the Jesuits are organizing a big money proposition on the reserve for profit. I may state—

Mr. MacNICOL: Who gets a big profit?

The WITNESS: It is alleged that the Jesuit society is getting it. It appears from this brief that "they have set themselves up in business in a big way". The church organization as we have it on the reserve is administered by the Jesuit Order, and has been ever since away back in 1657. That is when the Jesuit Order first came there and continued until it was suppressed in 1773, and the last Jesuit in Canada then died around 1800. After Castlemaine the society was reorganized and reinstated in charge of them a little after 1800. The Jesuits came back to Canada in 1843 although they did not come back to Caughnawaga right then, they came back there only in 1903. In the interim the Oblate fathers, an order of scholarly priests, administered to the Indians. There have been Oblate Fathers stationed there for thirty-five years. One of them was later Bishop Forbes, Archbishop of Ottawa, who was there at least twelve years himself. He was the last of that order stationed there until the Jesuit fathers

came back in 1903. I personally have been there for the past ten years. The parish organization has as a source of revenue only what the Indians can give them for actual support; that is they pay, some of them, their pew rent, which is taken up by collection on Sunday mornings. They also have the contributions which are taken up during the different mass services. Both would be barely sufficient to keep the mission going. We have therefore to find means to organize in order to make both ends meet. One of the things we use to that end is what in French we call a "tombola"—in English you call it a bazaar—as any ordinary parish would hold a bazaar. We also have bingo games at the bazaars and euchres now and then. We also have the occasional bingo game during the year in the hall; and the other odd stands that you find on a parish bazaar ground. Incidentally, I might say that we have been organizing for our next bazaar which will be held around the beginning of July. You are all quite welcome to come and see how things are being run. If you were to condemn our situation you would have to condemn every other church bazaar that is being organized throughout Canada. I think I have said enough on that particular angle of the case.

Then they say, "This teaches our children to take chances, thereby become gamblers." I will leave that to your own better judgment.

Then they say, "They also operate a movie house, dance hall and pool room." Well, now here is the fact. In this particular hall, the parish hall, that we have on the church ground we have during the last five years held the occasional show which has been organized by a parish committee. At the outset we borrowed one of these 16-mm. projection machines and later we were able to buy one for ourselves. We rented different films for programmes and in that way showed them ourselves mostly to our children in order to be able to control the programmes and to be sure of the moral correctness of them. This was intended particularly to afford amusement to our children and keep them around us and to be sure of their better behaviour.

Now, as to the dance hall: the same parish hall also serves the purpose of our teen-agers' club, mostly the older girls from our parish school who organized this themselves this spring so that they could spend an enjoyable evening together in the hall. They have the use of a small gramophone; and we permitted the teen-age girls to carry this on under our paternal eye. Then, as to the pool room: there is a little room immediately joining the vestry, where the altar boys pass the time while waiting to change into their vestments and assist in the serving of mass. There is a little table in there, it is not much larger than one of these tables such as you have here in the committee room, and these little tables have little balls about this size (indicating) and they amuse themselves with that game while waiting. That is the pool room. Incidentally, there is no charge of any kind made for the use of the table. Some of these boys are children of some of the braves who signed this brief, some of these altar boys about whom I have just spoken.

And now, they go on, "They no longer preach in our native tongue, but insist in preaching in French and English only." We have the privilege of having with us today Father Jacobs, who as I said a while ago is an Indian Jesuit, a native of Caughnawaga. He is stationed down at the St. Régis reserve and he comes regularly every month to preach in Indian to our congregation at every mass. Besides that, in his absence, every Sunday I personally give the announcements in Indian at every mass. All the official prayers and the whole of the singing at all of these services is carried on in the Indian language. There are three other Jesuit fathers who are now studying the Indian language in order to be able to help us out in that respect.

Gentlemen, I think I have completed all I want to say. I will not take up more of your time. I thank you.



The CHAIRMAN: Shall we now proceed with the questioning of this delegation?

*By Mr. MacNicol:*

Q. Would you like me to start, Mr. Chairman? I have just one or two questions I would like to ask. I am very much interested in what I think you said in your brief here; did I understand you correctly, that there are two groups on the reserve?—A. Would you like me to answer that, or some of the other members of the delegation.

Q. Well, anyone can answer this.—A. I will give you my interpretation, if you wish. There exists a group of aboriginal Indians who are mostly all former Christians but who for certain reasons of their own—we are not forcing or trying to force our religion on them—have abandoned their Christianity which they formerly practised. Now there are not very many. According to the last census there would be seventy-seven and actually I think there would be a little more. Besides those there are some who I think are sincerely Catholic but as stated yesterday they make a division between being a Catholic and being an Indian. That group also adheres, for certain racial reasons that appear to us as being prejudiced, to the same ideas which I think the group has expressed here. I may say this, it was a false and wrong statement to claim that you could be a Catholic and an Indian and make a clear-cut line for that. Now that stands not just for Catholics but for any denomination. A man cannot only be a Catholic, or a Protestant, or other denomination by just meeting in his church and sitting in his church and praying on Sunday, and then say, for the rest of the time, "I am an Indian" or "I am a white man." You are either a Catholic Indian or a Protestant Indian twenty-four hours of the day and therefore you must always act as such. Otherwise it would just be a name if he does not act according to his belief. I think there is a misunderstanding there. Some of them are really sincere and I think they would resent not being considered as Catholics, but still they adhere to the principles as opposed to the system of teaching as regards denominational schools.

Q. One further question. How did that group, which represents only seventy-seven or a few more than that, elect the council of chiefs?—A. It is not just those, there are also other groups of Catholics, I would not know exactly how many, but they would be opposed. I would think it would be wise for the committee to institute a referendum. You could then judge for yourselves. There is a serious problem and a referendum would really be necessary in our case. I think the same point was said by myself and Mr. Beauvais yesterday. One of the reasons for the situation is that our able men, who are in the great majority on the side we represent, are out of the reserve at the time the elections occur and only about one-quarter of the voters really take an interest. At the last election there was no special problem and the other group being always defeated because of the system that prevails in our reserve of having six sections where voters of that section have to vote for the candidate in that section. It favours certain cliques who hold office even if it is not the wish of the majority. We have a brief that will be handed to you suggesting a remedy for this.

Mr. MATTHEWS: I have no questions except I wish to say that I think the reverend gentleman has made a very fine rebuttal to many of the charges that were flung around here yesterday.

Mr. BLACKMORE: Are we supposed to be questioning all of these gentlemen?

The CHAIRMAN: Yes.

Mr. BLACKMORE: I would like to ask Mr. Jacobs if there is any other matter that he wished to deal with yesterday particularly, when the time limit did not permit, other than taxation. He was making what I considered to be a very able presentation.



Mr. JACOBS: Do you want me to continue with taxation?

Mr. BLACKMORE: I would like you to take up any other items, other than taxation. I think you established your case on taxation very well.

The CHAIRMAN: The brief has been submitted, Mr. Blackmore did you have a copy of it?

Mr. BLACKMORE: I understand that the brief has been submitted and the questions I propose to ask are on the brief and I would presume that they would be quite in order.

**F. McDonald Jacobs, called:**

The WITNESS: I have not got very much more to say except to give you references as to the jurisprudence or the judgments which have been rendered regarding taxation. The Caughnawaga Indians who are those working outside of their territory but in the neighbourhood, have their domiciles within the limits of the said reserve; they leave their domiciles in the morning to go to work; and at night, their work finished they come back to their homes in Caughnawaga.

In fact, since the last seven months, the Indians, working in the United States, have paid out to their dependents within the limits of the Caughnawaga reserve over \$10,311.74; being the amount verified by means of money-orders and an additional sum of \$5,579, amount verified by cheques deposited in the banks.

Mr. BLACKMORE: Would the witness mind elaborating or clarifying that. What are we to gather from that submission?

The WITNESS: The effect of the matter is there was no income tax levied on them in 1942 in the United States. Now, in a record of the superior court, Montreal, case of *Crepin vs. Delorimier et al* and the *Banque Canadienne Nationale*, *Tierce-Saisie*, the Honourable Mr. Justice Philippe Demers, has decided, in 1930, that the moneys deposited in a bank situated outside of the limits of the Caughnawaga reserve, by an Indian, constitute an incorporeal right, non-susceptible to be taxed by the actual laws, and consequently, being unseizable. This judgment has been reported in volume 68, page 36, of the *Official Judicial Reports of the province of Quebec*.

Mr. BLACKMORE: May I ask a question there and I am going to give over the rest of my time to other members. What you are dealing with here is the matter of succession duties.

The WITNESS: No sir, in all cases. Now this money was deposited in the *Banque Canadienne Nationale* and presumably the Indian owed money to a certain outsider and the money was attached and section 102 of the Indian Act was applied. It was read here yesterday.

Mr. BLACKMORE: It would forbid that.

The WITNESS: Section 102 of the Indian Act reads as follows:—

102. No Indian or non-treaty Indian shall be liable to be taxed for any real or personal property, unless he holds, in his individual right, real estate under a lease or in fee simple, or personal property outside of the reserve or special reserve, in which case he shall be liable to be taxed for such real or personal property at the same rate as other persons in the locality in which it is situated.

That reference is now changed to chapter 98 of the Revised Statutes of 1927, section 102.

This judgment was rendered on this basis that money in the bank was his unquestionable property, or even a car going out of the reserve, is only

in transit. Therefore it is not chargeable or seizable in any form. Now, speaking of situs or domicile, there is the case of the Toronto General Trusts Corporation *vs.* the King, that was in 39 Dominion Law Reports, page 40. There was another judgment in 1936.

Mr. BLACKMORE: What was the effect of this one you just referred to?

Mr. Chairman, I realize the time is up but I should like very much to ask this gentleman a good many more questions probing into this matter. However, I realize it would be unfair to the other members of the committee. I am impressed that this gentleman seems to be exceedingly well-informed and has a highly intelligent grasp of these matters and I would like to commend him.

The CHAIRMAN: Well it is 1 o'clock and we have to complete this delegation and we also have the Bersimis, Oka, and St. Regis reserves, that presented briefs yesterday. Is it the wish of the committee that we continue at 4 p.m.?

Mr. GARIEPY: Could we get through with these witnesses if we carried on for another half hour?

The CHAIRMAN: No, I think not.

Well, we will adjourn until 4 p.m. in this room.

The meeting adjourned at 1 p.m. to meet again this afternoon at 4 p.m.

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### AFTERNOON SESSION

The committee resumed at 4 o'clock.

The CHAIRMAN: Order, gentlemen.

Have any of the members of the committee questions that they would like to ask the group that we had before lunch? Would the representatives of the Caughnawaga group that were here before lunch come forward, please; that will be Father Lalonde, Mr. Jacobs, Mr. Beauvais and Mr. Delisle.

Mr. LICKERS: What about the schools on the reserve; are there a sufficient number of schools for all the children?

Rev. FATHER LALONDE: Actually, Mr. Chairman, you are aware that our school was burned down and has not been rebuilt; therefore, I do not think there is sufficient accommodation. I speak only for our own group. As for the other groups, I would not know.

Mr. LICKERS: Well, is there anybody else in your delegation who will be able to answer that?

Rev. FATHER LALONDE: You mean, a Protestant?

Mr. LICKERS: It does not matter whether he is a Protestant or a Roman Catholic.

Rev. FATHER LALONDE: As far as I know the Roman Catholic accommodation is not sufficient just now.

The CHAIRMAN: Could you answer that, Father Jacobs?

Mr. E. JACOBS: I do not know anything about the other schools.

Mr. LICKERS: I notice on page 6 of your brief a reference to male teachers for higher grades. You say:—

However, with regard to the education and teaching of male pupils in the higher grades of our Catholic schools, it is the unanimous wish and desire of our reserve to have the older boys taught by male instructors and the suggestion is that such teaching be conducted by teaching Fathers or Brothers, assisted, if need there be, by any capable and qualified men lay teachers.

Do you mean by that, after they get up in the higher grades you want to segregate the males from the females in education.

Rev. FATHER LALONDE: In our day schools, of course, in order to do that we would start with Grade V or VI, let us say with Grade V, and put them under the instruction of a male teacher.

Mr. LICKERS: Do you not think that co-education in all grades is better than having the two separated?

Rev. FATHER LALONDE: As far as we are concerned, I claim that it is better to separate them in order to give special education to the boys which is different from the education given the girls in our particular case; another reason is this, we have a system of teaching our boys at the present time and they themselves admit that as far as their development is concerned and as far as keeping authority and discipline over them, that they get best results when there are male teachers. Those are the reasons we want male teachers for our boys for the upper grades.

Mr. LICKERS: Is this a local condition?

Rev. FATHER LALONDE: It is general in the province of Quebec. The boys are under male teachers, Fathers or lay teachers. That is general throughout Quebec.

Mr. LICKERS: That is in all the schools in Quebec, is that it?

Rev. FATHER LALONDE: I speak only for our own class.

Mr. LICKERS: Would it not save time, space and money if they had a co-educational system by which the classroom work could all be taken together?

Rev. FATHER LALONDE: That would be a question for study. We are seeking for better results in education. I think our request is on solid ground.

Mr. LICKERS: Are the older students given any assistance either by the department or anyone else in the way of tuition to attend schools for higher education?

Rev. FATHER LALONDE: I think that is taken care of in the fourth paragraph on page 6:—

A number of our boys and girls have distinguished themselves in higher education and have achieved a fair degree of success. Such higher education was made possible through the kind aid, assistance and encouragement of the Indian affairs Branch, without which aid and assistance the attainment achieved might not have been possible; and we wish to express our sincere appreciation and gratitude to the officials of the branch who have helped those who worked and strived for higher education after leaving the schools in Caughnawaga. We trust and urge that the same policy be not only continued but, if possible, amplified in order to encourage our boys and girls to attend high schools, colleges and universities, by providing them with sufficient financial assistance.

Mr. LICKERS: I was just referring to that part in which you say, "we trust and urge that the same policy be not only continued but, if possible, amplified—"

Rev. FATHER LALONDE: Yes.

Mr. LICKERS: What do you mean by that; they have already been given assistance?

Rev. FATHER LALONDE: So far a few have been enabled to do that. I do not believe there have been any refusals on the part of the department in the sense that the boys and girls we recommended, so far as I know, have been given that assistance; but we intend in future to recommend more, you see, and it is provision for the future that we are interested in.

Mr. LICKERS: There has been no refusal in the past?



Rev. Father LALONDE: Not that I know of. Perhaps there might have been a few cases.

Mr. LICKERS: Do you teach vocational training to the children?

Rev. Father LALONDE: Yes; actually before our senior school burned down there was a school there for the girls in weaving. After that burned down there was not sufficient room available to continue those classes and just now I think there is a section where the sisters teach the girls drawing and domestic science and things like that, but they are crowded down cellar. They do what they can. In the boys' department they are teaching woodwork. They are also taught in the cellar of the other school, although they do what they can. We have been promised that things will be amended. That is why we want and urge the immediate rebuilding of our school. We have seen the tentative plans which have been drawn up.

Mr. LICKERS: Are the teachers in the school certified teachers?

Rev. Father LALONDE: They were all accepted by the Department of Indian Affairs.

Mr. LICKERS: Are they certified, they may be qualified but I was just wondering if they were certified?

Rev. Father LALONDE: That is a question that I cannot answer. Inquiries could be made, I suppose.

Mr. LICKERS: Perhaps I should have said, certificated teachers.

Rev. Father LALONDE: I believe there are.

Mr. LICKERS: Can any member of your delegation tell me exactly what is the cleavage on the reserve; why are there these two groups; what is the cause of it?

Mr. L. E. BEAUVAIS: Possibly I can answer that. The difference seems to be that there is one faction on the reserve who are self-styled chiefs that want to govern themselves, who want to make their own laws and do not want to recognize the Indian Act or any other laws except what they draw up themselves. There is the other faction on our reserve which seems to be afraid of his scheme because we just don't know what kind of laws they might draw up. They might be very bad for us; and we might be willing to take a chance on whatever laws the government may make for us. We feel there is an opportunity to improve the Indian Act, or whatever new name you may give it. We are working under it, the Indian Act, so-called, and we feel that its administration is not too bad. They changed this system at one time from the chiefs to the elected council. There was a reason at the time for that.

Mr. LICKERS: That is the type of government you have on the reserve now, the elective council?

Mr. BEAUVAIS: Yes.

Mr. LICKERS: Is there any cleavage between the elected council and the old hereditary chiefs?

Mr. BEAUVAIS: Yes, I believe there is a difference. The elected council came about, I think, because the old chiefs perhaps misappropriated funds and things like that. They put in the council as an improvement over the chiefs. Now, the chiefs were in power perhaps all their lives. We might happen to get an imbecile in there and have to be governed by that chief. He dies and his son would take over, I suppose.

Mr. LICKERS: At the present time you operate under the elective system?

Mr. BEAUVAIS: Yes.

Mr. LICKERS: The only thing you have against that is you believe they should vote, not by sections on the reserve, but by the whole reserve?

Mr. BEAUVAIS: At large, that is right.

Mr. LICKERS: Is that the only difference between the group so far as the form of government is concerned?

Mr. BEAUVAIS: That is right, we think there should be one section. You should elect your council at large. We also think that the mayor should be elected by the people and not elected by the council. At present, you elect six councillors or twelve councillors and once those twelve councillors are elected they hold a meeting and choose the mayor. That mayor might not be acceptable to the band but still you have to accept him. It seems to me we should have the right to choose our own mayor.

By voting in sections, you have a chance to vote only for two men. There might be somebody in section four or five for whom I should like to vote and I cannot give him a vote. I have a chance to vote only for the two representing my section. In some cases, we do not like either one of those two. We do not think they are proper men, so we just do not vote; that is the condition on our reserve. Last year, there was no vote at all. All the councillors went in by acclamation.

Mr. LICKERS: Whose fault was that? The people had the right to vote?

Mr. BEAUVAIS: That is right, but I can explain it in this way. As you know, the biggest part of the people on the reserve are iron workers. They are away in the United States and they pay little or no attention to the workings of the town council. They take it for granted that our department will not let them do anything that is rash during their absence or sell them over the falls. In other words, they do not bother. They say, "These old fellows are the backbone of the reserve and they enjoy themselves being on the council, let them have the ball. I do not think the government would let them do anything that would be a detriment to the people who are away." Otherwise, perhaps these people would come back and cast a vote.

Mr. LICKERS: When are they away, what part of the year??

Mr. BEAUVAIS: They are away about eleven months out of the year. The only time you could get a fair vote, a fair representation, would be to hold the election in July when most of them are back.

Mr. LICKERS: Is that just during their holidays?

Mr. BEAUVAIS: Yes, that is about the time they take their holidays, when it is real warm in the United States. They come home for a couple of weeks in July.

Mr. LICKERS: Do they not come home for Christmas or New Year?

Mr. BEAUVAIS: Sometimes they come home for one or two days. Most of them have their families in the United States, so they do not bother coming home.

Mr. LICKERS: You believe that if the time of voting was changed from the present time to some time in the month of July, you could get out a fairly representative vote?

Mr. BEAUVAIS: That is right, sir. Labour Day is a time when quite a few of them come back on account of it being a holiday in the United States.

Mr. LICKERS: You have not tried to work out some form of absentee voting?

Mr. BEAUVAIS: We did not think of that. It might be a good idea.

Mr. LICKERS: Or voting by mail, something like that?

Mr. BEAUVAIS: If we could work out a system, maybe it would be worth while. I do not know how you would do any canvassing by mail, though. You are going to make politicians out of us eventually.

Mr. LICKERS: It might be a good idea if there was no canvassing done in some elections. Do you personally take any interest in the voting in your area?

Mr. BEAUVAIS: Pardon me?

Mr. LICKERS: Do you take any interest, yourself, in the voting on the reserve?

Mr. BEAUVAIS: No.

Mr. LICKERS: You do not?

Mr. BEAUVAIS: I have not for a few years now.

Mr. LICKERS: How long has this cleavage existed?

Mr. BEAUVAIS: I do not quite understand that question, sir.

Mr. LICKERS: I mean the two factions, how long has that been in existence?

Mr. BEAUVAIS: I would say, to my knowledge, since about 1927 or 1928, something like that. They have what is known as the Long House on the reserve. That was started by a small group of four or five. The house started to get a little longer and it got so long that they divided it up into three. They had three of those places on the reserve. Apparently they did not get along so well and they have closed down two of them. There is only one in operation. They have apparently invited some of the Brantford Indians to help them out in preparing this brief which they read yesterday. Even Indians from the United States were on this committee. I think this was a question concerning Caughnawaga. I do not think it was fair of them to bring in people from the United States who have absolutely no say on the reserve. Our right to make a representation here was questioned. I think we should have as much right as these fellows who come in from the United States and Brantford to make representations on behalf of the Caughnawaga Indians, resident in Quebec.

Mr. LICKERS: Could you give me the consensus of opinion so far as your group is concerned in connection with the right of Indians to have liquor on the reserve?

Mr. BEAUVAIS: I believe you will find, in our brief, that we do not touch the question at all. This is due to the fact it has already been mentioned in other briefs. I do not think we disapprove of the Indians having liquor to drink.

Mr. LICKERS: You would like the Indian then to be able to have a permit the same as anyone else—oh, you do not have permits in Quebec?

Mr. BEAUVAIS: We do not have permits. We should like him to have the right to go in and get a bottle of beer or something and even bring it on the reserve and drink it there.

Mr. LICKERS: There are about 3,000 on your reserve?

Mr. BEAUVAIS: I understand something like 3,000 or a little bit over.

Mr. LICKERS: What about an outlet on the reserve itself?

Mr. BEAUVAIS: We are split on that. Some of us think we should not have any strings attached to it if we are going to have it. I think that really should be up to the elected council to decide or to the band rather, to decide if they want to have it on the reserve. I understand all the towns in the province of Quebec, the councils have some say as to whether you are going to get a licence or not. I think that should apply to Caughnawaga.

Mr. LICKERS: In other words, you think there should be a referendum there in connection with that question?

Mr. BEAUVAIS: Yes, I believe so.

Mr. LICKERS: You would not leave it entirely up to the council?

Mr. BEAUVAIS: The band is what I mean.

Mr. LICKERS: I notice that where you ask for things in your brief you refer to the band rather than to the council?

Mr. BEAUVAIS: That is right.



Mr. LICKERS: Why do you do that?

Mr. BEAUVAIS: We feel that for one reason our council have always refused to take the oath of office. We feel that they are not sincere in dealing with questions. In other words, they might take up sides. If they do not like you or they do not like me they will not give us a fair deal. That is our feeling. If they were sincere I do not think they should object to taking the oath of office.

Mr. LICKERS: Were you or any members of your delegation at any time members of the elective council?

Mr. BEAUVAIS: Yes, I believe we had two. Mr. Jacobs was a former mayor of Caughnawaga or chief councillor and Mr. Delisle was also chief councillor at one time.

Mr. LICKERS: Do you mean chief councillor or mayor?

Mr. BEAUVAIS: Yes, it means the same.

Mr. LICKERS: How long ago was either one of them mayor?

Mr. BEAUVAIS: Mr. Delisle in 1936 and Mr. Jacobs I would not know.

Mr. JACOBS: 1914-15.

Mr. LICKERS: At that time apparently if you took an active part in the administration of affairs the system must be all right?

Mr. BEAUVAIS: Two wrongs do not make one right. If it was wrong then I think they are still wrong. I am suggesting an amendment there to section 174, I believe it is, the qualifications of councillors, and so on. I think there should be something added there.

Mr. LICKERS: I think you also refer to the question that the councillors themselves should have a minimum standard of education?

Mr. BEAUVAIS: We do.

Mr. LICKERS: What minimum standard do you think they should have?

Mr. BEAUVAIS: I think they should be able to read and write. I do not know if you know this but on our council there are two who can read and write, and I do not know how well. It appears that a few of them have already signed the brief that they presented here yesterday, and they cannot read or write. The fact is two of them are collecting in the church, and they are signing the brief to chase away all the priests and close up the churches. I cannot figure out anything else but that these two fellows at least did not know what they were signing. I think there is a certain danger in having these fellows put on a council when they cannot read and write. In fact, they have signed away some islands. That is years back. Some of the old chiefs did not know what they were signing and they sold a couple of islands for a loaf of bread, and so on. There is a certain danger there. I think if you go around the province of Quebec and look for the chief in any town, the mayor, you look for a fellow running a big store or something that shows a little bit of progress, and you will find that the mayor owns it. They have a certain confidence in him because they do not think he is going to try to defraud the people of moneys in any way because he does not need that. He is accepting that as an honour more or less. I think you would find the same conditions on our reserve. The government has been paying for our schools for quite a number of years now and all the boys of 40 and under have some kind of education. I will not say it is high school but they know how to read and write. How they come to have so many who cannot read and write on the council I just cannot figure out.

Mr. LICKERS: That is entirely a local situation. If you have the right to vote surely they can remedy that situation, can they not?

Mr. BEAUVAIS: By changing the qualifications under section 185—I am sorry, it is section 174, I believe.

Mr. LICKERS: There is also something mentioned in your brief about the question of policing on the reserve. Have you not got the R.C.M.P. there?

Mr. BEAUVAIS: Yes, we have.

Mr. LICKERS: Does that not work out satisfactorily?

Mr. BEAUVAIS: I do not believe so because the R.C.M.P. on the reserve are more or less doing this as a side line. They are interested in contraband, bootlegging, and all that stuff. They go as far as Huntingdon, Valleyfield, and so on. They go all over up the lines. If they have any spare time they will look after the reserve. We think that if we had an Indian as our policeman there working under the mounted police—let them coach him—the troubles on the Caughnawaga reserve would be over because this Indian, if he was selected from Caughnawaga, knows each and everyone. If he sees any trouble he can point out the fellow and know who he is and can get him the next day.

Mr. BRYCE: Would you not think he would take sides, too?

Mr. BEAUVAIS: No, I do not believe so because we had an Indian policeman there before.

Mr. LICKERS: How long ago?

Mr. BEAUVAIS: I guess about ten years ago. We had him ten years ago. I believe he was dismissed some four or five years back.

Mr. LICKERS: Who hired him, the council?

Mr. BEAUVAIS: I think it was through the Indian department, but he was a specially commissioned constable under the R.C.M.P. He was hired by the department.

Mr. LICKERS: I believe under section 185 of the Act that the council also has the right of policing the reserve. Have they not ever exercised that right?

Mr. BEAUVAIS: I doubt if they know there is such a section. They seem to be under the impression they have absolutely no powers whereas if you read that section they have quite a few powers. There is another argument as to why they should be educated and be able to read that section and find out they have many powers.

Mr. LICKERS: Suppose a special constable was appointed who was an Indian; would he be paid by the department or out of the band funds?

Mr. BEAUVAIS: I think he should be paid by the department because he would be helping to maintain certain order also on our highway. We have cars speeding through that village at an awful speed. There have been quite a few accidents, as you heard in that other brief yesterday, where children have been run over, and so on. They seem to have no regard for speed limits on the reserve. The provincial police say it is a reserve and "it is up to you fellows." I think our police question could be paid for very easily if there was a by-law made where we could police and act as speed cops and fine them. I think you would have plenty of fines there to pay for such a policeman. Maybe you would do good business if you had two.

The CHAIRMAN: I thank the delegation for the very able way you have replied to all questions. I would ask you to retire now. I believe we now have Mr. George Cree from the Oka reserve.

**George Cree, recalled.**

The CHAIRMAN: This is Mr. George Cree of Oka, Lake of Two Mountains.

The WITNESS: Yes, sir.

The CHAIRMAN: Have you anything further you would like to say to the committee?

The WITNESS: Yes.

The CHAIRMAN: All right, proceed.

I would like to comment about yesterday when our Indians came and made the statement in the brief. I do not believe what he mentioned about doing away with the white people. I believe very much that we depend on you to look after the Indians. We Indians are too far behind to have self-government in this dominion. We depend on you and you do a tremendous amount of work for the Indians. We depend on you to see that the Indians will get justice in the future. I would compare us to the sick person when you call the doctor and you have to tell him when you call him where you have the most pain, and, if you do not tell the doctor, he cannot look after you to help you out of your pain. That is the first thing I have to say.

We believe that this joint committee is doing something worth while. The next thing now is about income tax. The Indians have a different proposition in Oka, where I belong. Owing to transportation difficulties we have got our domicile in the city of Montreal. When we work in Montreal we cannot go home because it would mean travelling seventy miles a day. That is the reason we have to stay in the city. When you have to live in the city you leave your home and your pleasures, to work away from the reserve and outside of the reserve it costs lots of money. You have to pay rent and so on, and that is the reason we cannot compare with the Caughnawaga Indians, where they are just across the lake and work in Lachine. They can leave their homes in the morning and they can come home at night. In Oka we are not able to do that. Furthermore I do not think the Indians have sufficient land to make a livelihood there and I mentioned about this mountain which was bought, and, as I said yesterday, it was useless. The department should buy land which would become useful for the Indians. That is why we depend on you and it is up to you gentlemen to settle this trouble which has been going on for many years. In the past the case went to the Privy Council, but we are not satisfied with the way it was passed. It is up to you gentlemen to see that we are taken care of. This land at Lake of Two Mountains, I do not know whether I am wrong, but it was taken about 1717 I think. Since then the white people have come around and took it, I think, in 1855. And now you see we pray ourselves for you to see these things and that you will see some way to give the Indians back part of the land so we can enjoy ourselves there. I think it is only you gentlemen who will be able to make some kind of an agreement. Today the Indians are not allowed to cut wood for fuel or timber for buildings and the land is no good to cultivate.

*By Mr. Lickers:*

Q. Have they not got wood for fuel?—A. There is wood for fuel but they are forbidden to cut wood for fuel.

Q. I understood the department bought this piece of ground and one-third belongs to the Okas and two-thirds of it belongs to the Caughnawagas.—A. That part I told you about yesterday. It is not much good, it is only rock.

Q. Did not the Oka Indians cut a thousand cords last year?—A. On that place they bought the trees were all cut. They have cut all the best logs and we will have to wait many years before it will come back.



Q. Now then have you got a council on the reserve or a chief?—A. I think that is mostly the Caughnawaga's. The Oka's do not believe in councillors, they believe in the hereditary chiefs but at present we do not have anything. We do not have a chief or a councillor.

Q. Do you agree with the same presentation that the other chaps from Oka made yesterday?—A. I do not believe that.

*By Mr. Bryce:*

Q. How do you want to govern your reserve?—A. I do not want the Indian to govern ourselves. We will have to make out some way, with a councillor or some other way.

Q. When you go out to work alongside the white man you do not want to pay income tax?—A. No.

Q. Then you complain because the Indian does not get the same chance as the other fellow in that the other fellow gets the job because he pays taxes?—A. I say this way. The Indian does not have sufficient land to work on and while you are outside from the reserve, where the white man works, you understand yourself, when you live in the country it is a cheap way to live and not the same as in the city.

Q. When you go to the city and work alongside the white man you get the same wages as the white man?—A. Well, yes. But where anything belongs to the Dominion Government there is no tax. The same is true of the Indians; they should not be taxed because they are wards. In Montreal they have a place called Champ de Mars, a building there. It is about ten years ago that they said they wanted to claim that, and wanted to tax the Dominion Government, but they were told that when the Dominion Government handles a thing there is no tax. Another thing too, the broadcasting corporation purchases a piano and they send the tax back for this piano. Mr. Arsenault says when the Dominion Government purchases there is no tax.

Q. Is it your ambition to remain as a ward of the Dominion Government?—A. Yes, because I do not want to be so foolish as to give up our rights. When I get my pension I am going back to my own reserve. I work in the Canadian Pacific Express in Montreal and we get a pension when we become sixty-five. That pension is going to be around \$60 a month and I am not going to be able to stay in Montreal. That is the reason I am going back to my reserve.

Q. I ask you these questions, not to embarrass you, but in my travels in the Maritime Provinces, I found Indians on many occasions who were not working, big husky working men, and they told me they could not be employed because they did not pay taxes. These men were discriminated against because they paid no taxes and the employers hired men who did pay taxes?—A. I tell you, when the depression came in 1930 all those small places refused to hire Indians. They said the Indian was rich and he did not have to work and the white people would suffer, so the Indian would have to go back to his reserve. They told us the Indian should go and stay on his own reserve because the government is going to look after him.

The CHAIRMAN: Thank you, Mr. Cree.

The CHAIRMAN: There is another delegation from this reserve represented by Mr. Gabriel Montour. Mr. Montour, the solicitor wants to ask you a question or two.

**Lewis Gabriel and James Montour, called:**

*By Mr. Lickers:*

Q. Mr. Montour, you are the spokesman for this group?—A. yes.

Q. You believe in the old hereditary system?—A. I do. I would like to have an interpreter. I would like to have Mr. Lazare interpret for me.

(The following questions were asked by Mr. Lickers and the answers given by Mr. Montour through the interpreter, Mr. Lazare.)

*By Mr. Lickers:*

Q. I want to get the background. Unfortunately, the brief which Mr. Montour gave yesterday was filed and was not read to the committee. I had an opportunity of reading it over, and I want to see if I can clarify his presentation down to this, that they are asking that they be given the ownership of the Oka reserve as a result of the treaties of the past and that they also want self-government. Then there is also the question of a claim to the Island of Montreal. Find out from him, Mr. Lazare, as to whether that is the basis of his presentation?—A. He claims that he is in complete accord with the Six Nations. Thereby he is in complete accord with the statements that were made yesterday that we wish to abide by the treaties. Also, in regard to the claim for the Island of Montreal, he claims there is a deed in their possession whereby they have a right to claim some compensation for that part of Montreal because their forefathers once resided there.

Q. How long did their forefathers live on the Island of Montreal?—A. He claims that there was a small group that went to reside at Oka and that in 1680 there was a missionary who went up to the Oka reserve to see some of those Indians if he could not persuade them to go back to Montreal. He says according to the verdict that the Indians gave they did not want to go back to Montréal, and it was soon thereafter that the rest of the inhabitants of Oka Indians from Montreal left to go to Oka, but he does not know the exact date—about 1680.

Q. Did not the Indians go with the Sulpician Fathers from the Island of Montreal to the present site at Oka?—A. Yes, they went with them.

Q. I will give you the date, it is 1680.—A. Some of the Indians were residing there already.

Q. At Oka?—A. Yes, before 1680.

Q. So that they claim certain compensation then on the Island of Montreal for the Indians that stayed on the Island of Montreal after they had left?—A. Yes, that is the whole idea.

Q. Does he know how long afterwards the Indians did stay on the Island of Montreal, after some of them left?—A. No, he is not sure on that point.

Q. They have not got title to the Oka reserve itself at the present time, have they?—A. He claims that they had a deed at one time—a grant from the King of France—but he claims that in later years there was a lady in Oka that had this deed and a missionary went to see her and told her that this deed was too valuable for her to hold onto, that she needed some safer place; but he claims that the missionary convinced her that he should save it for the band, and that was the last they saw of it. He claims there is another deed they have which was reconfirmed by the British government later on after the British government took over Canada.

MR. LICKERS: Mr. Lazare, you are familiar with the background of Oka, are you not, personally?

MR. LAZARE: Yes, but I do not want to say anything except what this gentleman tells me.

Mr. LICKERS: I just want to find out how this question of ownership on the reserve stands. You take on your own reserve, on Caughnawaga, that was settled by the Gage settlement. I presume they would be in exactly the same position as Caughnawaga were before the Gage settlement. Would not that be correct?

Mr. LAZARE: Yes, I think so.

Mr. LICKERS: So there is then some merit in what they say in connection with the ownership of the reserve?

Mr. LAZARE: Yes.

The CHAIRMAN: Thank you, Mr. Lazare, for your kindness in acting as interpreter; and, thank you, Mr. Montour.

Now, we have Chief Paul Rock from the Bersimis reserve. Will Chief Paul Rock and Mr. Malet Collard of the Bersimis reserve come forward, please?

Have the members of the committee any questions to submit to these gentlemen? They presented a brief yesterday. If not, I understand Mr. Lickers has questions he would like to ask.

(Questioning of Mr. Collard by Mr. Lickers, Mr. J. Raymond, M.P., acting as interpreter.)

### **Malet Collard, Bersimis reserve, recalled:**

*By Mr. Lickers:*

Q. How do the people on your reserve make a living?—A. By fishing, cutting wood and hunting.

Q. What would be the average income per family?—A. They earn about \$4 a day when the Indian works.

Q. And how much work do they do in a year?—A. It would come to about \$150 to \$200 for the average family per year.

Q. How much would they make from their fishing, on the average?—A. The Indian who had good luck would take about 1,300 pounds of salmon a year.

Q. Do they buy the fishing equipment themselves?—A. They have equipment which is furnished by the department.

Q. My reason for asking that is because I think fishing down there is a losing proposition as far as they are concerned. Looking over their financial statement for the last year, comparing the sale of fish for what they get with what it cost for fishing equipment, they lost about \$2,000; is that correct?—A. Yes, that is true.

Q. Could you give any reason why they would lose that amount of money?—A. Because there are times when they do not get salmon at all on account of the river.

Q. Was last year a bad year, or fair, or what?—A. Last year was a bad year, and it has been bad for a number of years.

Q. Do they lose about \$2,000 a year?—A. Not all the time.

Mr. HOEY: There is a certain equipment charged off over a number of years. That explains some of this loss.

*By Mr. Lickers:*

Q. What about the white people living on your reserve?—A. It is not a place for white people to live on our reserve.

Q. Are there any on the reserve carrying on business?—A. Yes.

Q. I understand there is a company operating on the reserve?—A. Yes.



Q. What is the name of the company and what do they do?—A. We are not against the merchants being there. We have other white people on the reserve and they have no business to be there.

Q. Just checking over their statement I think they had rents coming last year to the extent of a little over a thousand dollars. I was wondering if he knew where these rents came from?—A. I could not tell you what that comes from.

Q. You are the chief, have you not enquired?—A. These white people are living on the reserve and they pay no rent.

Q. How long has that condition been in existence?—A. I believe it has been since the beginning of the reserve. We always had white people on this reserve.

Q. Have the Indians got enough land for their own use?—A. Yes.

Q. What about schools? Have you enough schools so that the children can attend?—A. During the summer time, no.

Q. What about the winter time?—A. In the winter time the Indian goes to the bush with his family so there is enough for the winter time. The children are not always at school because it is not a residential school but a day school.

Q. Would you rather have a residential school than a day school?—A. Yes.

Q. What about the health on this reserve? I understand that there is a lot of tuberculosis?—A. Yes, T.B.

Q. Could you give us the percentage of the people who have T.B.?—A. If my memory serves me right, there is about 25 per cent.

Q. Twenty-five per cent of the population?—A. Right.

Q. What is the department doing about the T.B. patients?—A. The department sends the sick person to the hospital. It is not very easy to send these T.B. persons to hospital because it is not a proper place to send them. Furthermore, we cannot force a T.B. person to go to the hospital if he does not want to. When an Indian leaves his reserve to go to a hospital, say at Rimouski about 30 miles away, when he arrives there he is quite sick on account of the fact not only has he T.B., but he feels lonesome. He is worse than if he were on the reserve. It is not easy to leave the reserve to go to the hospital. If there was a hospital at Bersimis, we would have much more chance of curing T.B.

Mr. LICKERS: I think those are all the questions I have.

*By Mr. Richard:*

Q. Where do you fish for salmon, in the rivers or along the shores of the St. Lawrence?—A. We fish for salmon in the rivers and along the coast, the north coast of the St. Lawrence.

Q. How do you fish along the north shore of the St. Lawrence, by what means?—A. We fish with projecting nets, anchored nets as we call them.

Q. What suggestions would you make to improve the fishing so as to increase the net revenue to each fisherman?—A. If we could get a higher price, it would help.

Q. How does your price compare with the outside price?—A. I do not know.

Q. What price do you get?—A. We got ten cents a pound last year.

*By Mr. Lickers:*

Q. Is there a nursing station on your reserve at the present time?—A. There is a nursing station about 17 miles away from the reserve, outside the reserve. The department at the present time is building a nursing station but it is not finished yet.

Q. Is there not a nursing station being built right on the reserve now?—A. Yes.

The CHAIRMAN: Thank you very much, gentlemen.

Mr. RAYMOND: This witness asks if we would permit him to ask one or two questions.

The CHAIRMAN: Yes.

The WITNESS: I would be much interested in having an old age home on the reserve. We are only asking for what is necessary, we are not asking for the moon.

The CHAIRMAN: I would suggest that he send in his requests in writing to the committee or we can take them now as submitted. Thank you. We now have the St. Regis reserve. Chief Clifford White was before us yesterday. We also had Joe Mitchell. I believe we have with us to-day Rev. Father Jacobs, S.J., from that reserve. Mr. Raymond, would you mind introducing Father Jacobs to us to-day? He was not here yesterday.

Mr. RAYMOND: I would be very pleased to do so. I will do it in a very few words. About two weeks ago I had the pleasure of making a broadcast in Montreal and at that time I mentioned the fact that Father Jacobs was the first Indian, I understand, to enter the Society of Jesus. I wish to congratulate him. We are very proud of that. I introduce to you Father Jacobs who was born, I understand, on the Caughnawaga reserve but is now priest at St. Regis reserve.

The CHAIRMAN: Thank you. Are there any questions that the Committee would like to ask on the brief submitted yesterday by the St. Regis band?

Chief WHITE: We sent a brief in in January, too.

The CHAIRMAN: It is on the printed record.

Mr. BRYCE: Most of the people on your reserve make their livelihood by gardening?

Chief WHITE: Partly, and working outside.

Mr. LICKERS: Have you on your reserve the same division between the elective council and the old hereditary system?

Chief WHITE: Yes, but on a smaller scale, not as bad as it looks.

Mr. LICKERS: Not as bad as it sounds?

Chief WHITE: No.

Mr. LICKERS: About what percentage of the population are still influenced by the old hereditary council?

Chief WHITE: I think a small part. I would say a small part.

Mr. LICKERS: 10 per cent or 15 per cent, something like that?

Chief WHITE: I would say 15.

Mr. LICKERS: About 15 per cent?

Chief WHITE: Yes.

Mr. LICKERS: To clarify the whole situation on the reserve would you be in favour of having a referendum to see what type of local government the Indians on that reserve want?

Chief WHITE: I did not quite get that.

Mr. LICKERS: Supposing they give everybody on the reserve a vote as to whether they want the elective system or the hereditary system; would you be in favour of that?

Chief WHITE: I would not mind.

Mr. LICKERS: You would not mind a vote?

Chief WHITE: No.

Mr. LICKERS: I think you said in connection with your reserve yesterday that your schools were overcrowded?

Chief WHITE: No, I did not.

Mr. LICKERS: I must have misunderstood it then. How many schools have you on your reserve?

Chief WHITE: Six schools.

Mr. LICKERS: Have you any Indian teachers?

Chief WHITE: We have two.

Mr. LICKERS: Are they working out satisfactorily?

Rev. Father JACOBS: They are working very good.

Mr. LICKERS: Have you a farm instructor on the reserve?

Chief WHITE: Not yet.

Mr. LICKERS: Do you think there is need for one there?

Rev. Father JACOBS: Oh, yes, very much.

The CHAIRMAN: We can hardly hear you.

Rev. Father JACOBS: Might I be permitted to answer about the school question. I can expose in a few words the situation over there. We operate a day school over there and it works perfectly, I would say. We have almost perfect school attendance, about 90 per cent. We have lay teachers and also the religious sisters of Ste. Anne teaching in the St. Regis village. They started about three or four years ago to take over the schools in the village because the Department of Indian Affairs did not have any lay teachers available. It was suggested that they engage the services of the sisters of Ste. Anne, the same community of sisters who teach at Caughnawaga. They are doing a wonderful work. I can testify to that. I have been a pupil of the sisters of Ste. Anne from the beginning. I have seen the progress that has been made right along. In St. Regis it is going very good. We recommend that the operation of day schools should continue, and to give the advantage—I would say privilege—to our pupils graduating from our schools to continue in high school as they do now in Cornwall. That is where they go for their high school education which is really very good. If we have any of the pupils graduate from high schools who are ambitious enough to continue a college course I would ask the Department of Indian Affairs to give them a fair chance, that they try it. That is the only way to help our Indians to progress to higher education.

I think our system is working very well there down on the reservation. We have a special recommendation from the councillors of the reserve. They are all in favour of the denominational schools continuing as it is in the Indian Act. It is working beautifully over there. That is one thing you do not hear about so often. I can testify that there is full co-operation on the part of the councillors with the Indian agent, with the mounted police, and with the clergy. It works beautifully. I think with a little understanding and a little good will it could work out in the different reservations in the same way.

There are always two factions that fight each other. It has been like that since the beginning of the world, since Cain killed Abel. There are always two elements in this world. It will always be like that.

I believe there is a recommendation in the brief which is really good. It would help very much if the members of the Department of Indian Affairs would extend it. It is No. 12. It says:—

The council opposes the policy of departmental consideration given to an undesirable element among the Indians who pose as representatives of the Indians and champion Indian causes but actually whose policy is to create fear and misunderstanding among the poor and uneducated Indians



by introducing such subjects as taxation and enfranchisement. Such movements have a tendency to create further misunderstanding and distrust among our people during such a critical period when unity is paramount for the success and preservation of the Indian people.

That is quite true. That is the trouble. We have our elected chief system which works very good. The work in co-operation with the Indian agent who is the official representative of the Department of Indian Affairs. That is the way it should work out. If we listen to two different groups we will never accomplish anything for the Indians. We are all working together for the betterment of the Indians. The Indian Act is there to help the Indians to make them a better people. These elements, these little groups come in and say, "We do not want the Indian Act. We do not want this and we do not want that." There is no constructive work if we listen to that. We never accomplish anything. I think we should all get together and try to make them understand we are all working for their interests. There is nobody against them. This work you are doing is to better their lives for the benefit of the Indians.

They come along and say, "We do not want the Indian Act. We do not want the Indian agent. We do not want the priest. We do not want the policeman." It is like an open door to Communism. That is what it is. They are against every authority we have in the way of organized government. Then what have you left? Nothing. They have to have laws to rule them. That is why we are here, to help them. If we listen to these elements all the time I do not think we will be able to do much for the Indians. I am 100 per cent for co-operation with the Indian agent, with the mounted police, with the elective chiefs and all the authorities to better the conditions of the Indians, both temporal and spiritual.

There is one other thing I would like to mention and that is the work of the R.C.M.P. We have the R.C.M.P. in Caughnawaga and at St. Regis. It works wonderfully in some places but in St. Regis we have not got the protection or the officers cannot make the people observe the laws because they have not got the authority. They are quite competent to deal with a man, say to put him in jail for one night, but they are not competent in St. Regis generally to make the people observe the laws. For small delinquencies they are all right, but with other cases they have to take the cases to Valleyfield, and from Valleyfield to Montreal, and when it comes down to the last point there is really no help. Laws cannot exist if we cannot have them in force. We cannot better conditions for the Indians in that way, so I would ask the committee to see that the police, the R.C.M.P. in St. Regis, have full authority to make the people respect the laws that we have.

Mr. LICKERS: You want them to be given authority?

Rev. Father JACOBS: Full authority as policemen.

Mr. LICKERS: Not only as policemen but also to mete out punishment as a magistrate would for instance.

Rev. Father JACOBS: That is it. They make arrests but there is never any punishment. That is, when they bring the cases up in court in Valleyfield or Huntingdon, they say "we have not got the authority" and they have to appeal to the Quebec provincial police and by then it is always too late. There is really no use in having statutes if it works this way.

Mr. HOEY: According to the superintendent of welfare and training you have the highest average attendance at your schools in the dominion, it is over ninety per cent. You might tell the members of this committee how you do it so that they can go back and aim at the same record. Then, you have been doing a marvellous job with boy scouts and girl guides. You might tell us in a sentence or two how you accomplished that and also I believe you have one of the best homemakers' clubs. It would be interesting if you would tell us how

these homemakers' clubs came into existence, just in a few sentences, and how you persuade the children to attend school in the way they have been attending. You might also say how you have organized the boy scouts and the girl guides.

Rev. Father JACOBS: Great credit is due to the Indian agent whose name is Leo Bannah at St. Regis. I would say he is the instructor of all these organizations and he has seen to it personally that it is successful, and then we all contribute in encouraging the people to belong to these clubs. The homemakers' club has worked out very wonderfully. Last year we had a convention of different Indian reserves, in St. Regis, and members of the Department of Indian Affairs were present and were very much impressed by the success and the way they handled the convention. Great credit is due to the Indian agent and his understanding. He goes out one hundred per cent to explain the case to the Indians and help them in their organizations. The same thing occurred with the girl guides. We had a secretary of the Indian agent, a Miss Rollo, who was very good as a leader as a girl guide, and she started organizing the young girls and they had little rewards given to them for their attendance and for their work. They would invite neighbouring girl scout groups to come and visit the St. Regis reserve and then our girls would go out, and it makes for a very good and very happy group. It is all due to the Indian agent and his assistance. The same thing can be said in connection with the boy scouts. The Mounted Police over there are helping with the boys. They organized a baseball team, a lacrosse team, a basketball team and everything. The Mounted Police play with the boys and they want the confidence of the children and that is why they are so friendly. I think with friendly support we can always further help our Indians in the reserves.

Now in connection with the school attendance it is a case of the teachers being very interested and they encourage the children to attend school and the parents are approached to encourage them. Ever since we have been getting the family allowances it has been a great help. The mothers dress their children to attend school. The children have had clothes ever since then, and, most of the time, the reason for the children not going to school was because they had no rubbers and not sufficient clothing in the wintertime. That was all changed since we had the family allowance and that is an important point in having such good attendance in the schools.

The CHAIRMAN: Are there any other questions?

I want to thank you, Chief White, and particularly you, Father Jacobs, for your very interesting account of the St. Regis band.

Lewis Gabriel, from the Oka reserve said there was something he wanted to add.

### **Lewis Gabriel, Oka reserve, called:**

The WITNESS: Mr. Chairman and honourable gentlemen, I thank you for the opportunity of uttering a few words. A while ago there was something mentioned about where the Indians started to live in Lake of Two Mountains. I have that here on record:—

During the winter of 1706-7, the French had been gathering the Indians together for an attack upon the English on Lake George, and for this purpose Montcalm personally visited the Iroquois of the Lake of Two Mountains and asked them to join the French army, see Parkman, page 488—

Mr. LICKERS: That was in 1706?



The WITNESS: 1706 and 1707.

Mr. LICKERS: And did the Indians from Lake of Two Mountains join the French to attack the English?

The WITNESS:

" . . . I am going on the ninth to sing the war-song at the Lake of Two Mountains, and on the next day at Sault St. Louis—a long, tiresome ceremony. On the twelfth I am off; and I count on having news to tell you by the end of this month or the beginning of next."

Indians had been living on the Lake of Two Mountains before 1717 or 1720 and I understand there is a document of 1717 granting to the seminary of Montreal this land, which I think is a fraud, and in 1722 there was a dispute between Madame d'Argenteuil and the adjoining seminary, over Lake of Two Mountains and the judgment was against the seminary. This was going on until 1760 and the Indians of Lake of Two Mountains were maintaining lands they inhabited and in 1763 these lands were freshly guaranteed and made into reserves for the Indians.

Mr. LICKERS: That is by the Royal Proclamation of 1763?

The WITNESS: Right. And there was no dispute until 1841. From 1841 the Indians have always been made something like slaves. Now these lands on Lake of Two Mountains were not seized by Great Britain or the Crown, and they were not purchased by the Crown.

The Appellants further submit that even if they are not entitled to such rights under the said Articles of Capitulation, that as the lands within the said Seigniorship of the Lake of Two Mountains in the occupation of the Indians were not ceded to the Crown of Great Britain by the Indians, nor purchased by the said Crown from the said Indians, the said lands were by the said Proclamation of 1763 reserved to them, and the said Oka band thereby became entitled to the benefit of the said Proclamation of 1763, and the Appellants and those they represent are still so entitled to the benefit of the said Proclamation. Under the terms of the said Proclamation the Appellants submit they are entitled to the exclusive possession and enjoyment of the said Seigniorship, unless and until they surrender or dispose of their rights therein to the Crown, in harmony with the provisions of the said Proclamation of 1763.

Q. At present the Department of Indian Affairs has paid off the Sulpicians and has got all of the reserve with the exception of about some four acres where their church is now situated and the department is holding that land in trust for those Indians. Is that satisfactory now to satisfy the claim with regard to the land concerned?—A. I do not know how much land the Indian department has bought. The land in question is nine miles by ten and a half. That is three leagues—three and a half leagues along the river and three leagues in depth in a V shape.

Mr. BLACKMORE: That is the land that they held in 1763?

The WITNESS: Yes.

Mr. LICKERS: That is the exact description of the land the Sulpicians got in 1680.

Mr. BLACKMORE: That is not the land which the Indians had title to in 1763?

Mr. LICKERS: I doubt if much was disposed of before 1763.

Mr. BLACKMORE: Is there any record to give us a definite notion as to how much land these Oka Indians did possess as the result of the 1763 treaty?



Mr. LICKERS: The 1763 proclamation. No person was encouraged to go upon any Indian reserve as they were then situated.

Mr. BLACKMORE: Is there any outline as to what constitutes the reserve?

Mr. LICKERS: Yes.

*By Mr. Castleden:*

Q. Have you any maps or papers showing your original reserve?—A. We have. I have not got them with me here, but there was a letter sent to Bernard Gabriel which has all these letters and documents and maps. Also, I am going to refer to a letter which was written by Mr. Crerar in 1941 informing the Sulpician order that they were trustees for the Oka band and to give some satisfaction to the band, and failing this obligation that they would be called into the Exchequer Court.

Q. You would agree to presenting your case before a claims commission if the government set one up?—A. Yes.

The CHAIRMAN: Is there anything more you have to say?

The WITNESS: Ten to twelve years ago the Belgian company had bought out this grant from the seminary and since then the Indians have been forbidden to the enjoyments of their reserve.

The CHAIRMAN: Mr. Hoey, the director, gave us that information this morning.

The WITNESS: It is all on the record, then. I would like to say that the Indians to-day have been forbidden the enjoyment of the reserve, and no one is having any firewood and no timber for their houses and no pasture for their cattle; and we are in the judgment, as I understand, that the Indians were provided all this. There have been some abuses and frauds committed since the Act of 1941.

The CHAIRMAN: Thank you, Mr. Gabriel. Now, we have Mr. Joe Mitchell before us. Mr. Mitchell, you are from the St. Regis reserve?

**Joe Mitchell, recalled.**

The WITNESS: Yes.

*By the Chairman:*

Q. You were before the committee yesterday?—A. Yes.

Q. Is there anything more you want to place before the committee, or have the members of the committee any questions to ask?—A. I would like to have an interpreter.

The CHAIRMAN: We will ask Mr. Lazare to oblige us once more. You will tell Mr. Lazare what you want him to say to us and he will interpret it to us in English.

Mr. LAZARE (Interpreter): He wants to abolish the Indian Act for his people according to their brief. I think it would be better for you gentlemen to shoot questions and we will be in a better position to answer them.

(The following questions were asked by Mr. Lickers and answered by the witness through the interpreter, Mr. Lazare.)

*By Mr. Lickers:*

Q. Are you a member of the hereditary council?—A. Yes, he is a member.

Q. Would you consent to have a vote among the people on the St. Regis reserve as to what type of government they want?—A. Yes, he says he is in favour of that; yes, a referendum.

Q. Would he abide by the results of the referendum? If they lost out would he side in with the elective council and carry on?—A. Yes.

The CHAIRMAN: I have a telegram which was received today from the Six Nations that they will also accept a referendum, and I think this should be put on the record. This comes from Mr. Allan Martin, who is secretary of the Six Nations Confederacy.

Brantford, Ont., June 13, 1947

Mr. Norman E. Lickers,  
Lawyer, Parliamentary Committee Indian Affairs,  
Ottawa, Ont.

Six Nations accept referendum under conditions you already have proving majority backing up Confederacy brief.

ALLAN MARTIN.

Thank you very much, Mr. Mitchell.

Mr. LAZARE: That will be all.

The CHAIRMAN: I thank you very much.

On behalf of the committee I want to thank all the delegates from the province of Quebec who have been with us for the past two days for the able way in which they have presented their case and for the moderate way in which they have tried to consider the whole situation with us. On behalf of the committee I want to thank you all.

I may say to the committee that our next meeting will be on Tuesday next when we will have before us Dr. Moore to complete his presentation.

Mr. LAZARE: Mr. Chairman, may I be permitted to make a few remarks?

The CHAIRMAN: Yes.

Mr. LAZARE: In appreciation of the fairness of this joint committee the elected council, the hereditary chiefs and the band of Caughnawaga wish me to present you with this tomahawk as a token of gratitude.

Some Hon. MEMBERS: Speech, speech.

The CHAIRMAN: I want to thank the delegates from the Caughnawaga reserve most sincerely for this token, and I assure you that I will always keep it as a memento of this occasion. And I want to thank you two gentlemen for the very able way in which you have presented your case before us.

Thank you.

Mr. LAZARE: Thank you.

The CHAIRMAN: The committee stands adjourned until Tuesday next.

The committee adjourned at 6 p.m. to meet again on Tuesday, June 17, 1947, at 11 a.m.

## LIST OF APPENDICES

Appendix GA	Brief, In French, submitted by Indians at Bersimis, by Chief Paul Rock .....
Appendix GG	Brief, in French, dated, 17 June, 1947, in behalf of Tete de Boule Indians, Abitibi Agency.....
Appendix GH	Copy of Petition presented by Frank MacDonald Jacobs, with reference to the application to Indians of the law concerning revenue taxes deducted at source

## Appendix GA

Monsieur le Président,  
Messieurs,

C'est notre désir que tous ces droits accordés aux Indiens par le traité et toutes les obligations prises par le gouvernement envers les Indiens soient respectés et mis en vigueur toujours.  
Pensionnats et externats—

Le système actuel d'éducation, approuvé par le gouvernement et établi par le Département des Affaires Indiennes nous satisfait d'une manière générale et nous tenons à ce qu'il n'y soit fait aucun changement quel qu'il soit. Mais ce système, tout en nous donnant satisfaction, devrait être amélioré par la construction de nouvelles écoles sur les réserves qui en manquent et que là où il y en a déjà elles soient bien entretenues. Dans toute notre région de la Côte Nord du Saint-Laurent, il n'y a qu'un externat à Betsiamites et cette école demande de sérieuses réparations. Nous sommes heureux d'avoir au moins cette école; mais nous aimerions avoir davantage: nous demandons un pensionnat tenu par des religieuses et cela dans le plus bref délai possible. Et nous nous unissons à tous nos frères Indiens de la Côte Nord, et ils sont nombreux, pour demander des écoles pour chaque groupe: nous sommes près de 2000 Indiens sur la Côte et il n'y a actuellement que l'externat de Betsiamites. Si nous demandons un pensionnat pour Betsiamites, nous ne voulons pas dire que nous sommes le seul groupe à avoir ce désir; au contraire, nous croyons que les autres en désirent autant et nous nous joignons à eux pour demander que des pensionnats et des externats soient accordés à tous les groupes selon leurs besoins et leurs désirs.

## Hôpitaux—

Nous demandons aux membres du comité chargé d'étudier l'Acte Indien de considérer bien attentivement la question des hôpitaux pour les Indiens.

Actuellement le département envoie les Indiens malades dans des hôpitaux éloignés de leur réserve, où, la plupart du temps, leurs parents ne peuvent pas les visiter à cause de la distance ou autres difficultés, et où, très souvent, ils ne sont pas compris. Nous sommes tout à fait opposés à cette manière de faire.

La plupart des Blancs ont des hôpitaux dans leur propre ville, où, par conséquent, ils peuvent facilement visiter leurs malades. Nous ne voyons pas pourquoi nous n'aurions pas la même facilité et le même privilège d'avoir sur notre réserve, un hôpital suffisant pour recevoir les malades de maladie ordinaire, où nous pourrions les visiter facilement. Quant à ceux qui auraient besoin d'une opération, nous admettons qu'ils doivent être transportés dans des hôpitaux organisés à cette fin; mais à part ce dernier point, nous voulons des hôpitaux sur nos réserves ou au moins tout près.

Actuellement, à Betsiamites, on a commencé les fondations d'un dispensaire de petites dimensions où il n'y aura d'espace que pour trois ou quatre malades au plus. Nous n'avons pas demandé ce dispensaire et nous n'en voulons pas parce qu'il ne nous donne pas satisfaction.

Ce que nous désirons et demandons c'est un hôpital complet et plus grand pour que toutes les maladies ordinaires y soient traitées et que cet hôpital soit bien organisé.

À cet hôpital nous demandons que soit attaché un hospice pour vieillards qui sont sans soutien. Plusieurs, actuellement, sont dans le besoin et malgré l'aide du département, ils sont dans un état misérable. Nous désirons donc



que l'on remédie bientôt à cette situation. Et comme pour l'école-pensionnat, nous désirons que cet hôpital-hospice soit confié à des religieuses. Car nous croyons avoir le droit de choisir le genre d'hôpital que nous voulons et que c'est le devoir du gouvernement de laisser toute liberté à ce sujet.

#### Habitation.

Comme la guerre est terminée nous aimerions que le gouvernement aide davantage les Indiens à se construire de bonnes maisons et à les entretenir dans les cas de nécessité. Nous n'entendons pas que le gouvernement doive faire tout, mais sa part.

#### Acceptation d'une personne comme membre de la tribu ou réserve.

Nous croyons que toutes les réserves indiennes devraient avoir le droit d'accepter toute personne ou tout enfant ayant du sang indien comme membre de leur réserve sur un vote favorable de la majorité de la tribu.

#### Paiement de taxes par les Indiens.

Jusqu'à maintenant les Indiens ont été exemptés de payer des taxes sur toute propriété située sur la réserve; mais nous croyons que les Indiens devraient aussi être exemptés de payer toutes les taxes ordinaires que paient les citoyens canadiens, à part celles imposées par le gouvernement sur une propriété située en dehors de la réserve.

#### Affranchissement volontaire ou involontaire d'un Indien.

Nous sommes d'avis qu'aucun Indien ne devrait être considéré comme un blanc avec les mêmes droits et obligations, à moins qu'il ne le demande librement et volontairement et sans être forcé par le gouvernement, en aucune manière. Le droit de vote aux élections fédérales.

Nous ne tenons pas à voter à ces élections; mais si on nous en donne le droit, nous ne le prendrons qu'à la condition que nous ne perdions aucun privilège ou droit que nous avons actuellement.

#### Résidence et entrée des blancs sur la réserve.

Nous croyons que les réserves indiennes sont strictement la propriété de la tribu indienne et qu'aucun blanc ne devrait y être toléré. Le département des Affaires Indiennes devrait, dès maintenant, faire sortir de la réserve tout blanc qui y réside; seuls les marchands nécessaires et acceptés par la tribu pourraient y demeurer, jusqu'à ce que les Indiens puissent organiser eux-mêmes leurs propres magasins.

#### Coupe du bois sur la réserve.

Nous demandons au Département des Affaires Indiennes qu'il fasse un règlement pour que les Indiens aient le premier droit à être employés dans la coupe du bois sur leur réserve.

Il est rumeur que la compagnie Brown vende sa réserve de bois, y compris celle sur la réserve, à la compagnie Donnacona ou autre; il est aussi rumeur que cette nouvelle compagnie veuille établir un moulin à papier ou autre chose semblable sur notre réserve, et cela sans nous consulter. Nous nous opposons fortement à cet établissement sur notre réserve. Et nous ne croyons pas que ni le département des Affaires Indiennes ni la compagnie Brown ou autre ait le droit de disposer de notre réserve d'une manière ou d'une autre sans notre consentement.

#### Pensions de vieillesse.

Actuellement, les vieux Indiens incapables de travailler ne reçoivent chacun que \$8.00 par mois pour vivre, nourriture et vêtement compris. Il y a à peine deux ans, ils ne recevaient que \$4.00 environ chacun. La situation s'est donc

améliorée un peu; mais il y a encore du progrès à faire; et pour cela nous demandons que les vieillards reçoivent la pension de vieillesse comme les Blancs.

Nous avons confiance que les membres de ce comité étudieront avec grande sympathie les demandes des Indiens, les premiers habitants du pays, et qu'ils leur accorderont tout ce qu'ils demandent en autant que c'est pour leur plus grand bien et selon leur besoin et leur droit.

## APPENDIX GG

### Re: demande—Acte des Indiens

Lettre 17 juin 1947.

Les trois chefs du groupe Têtes de Boule—Obidjivan, Manaouan et Weymontaching formulent ainsi leur désir.

Art. 1.—Que les droits et privilèges concédés en faveur des Indiens soient maintenus, sans céder les avantages actuels.

Art. 2.—Que la législation actuelle au sujet de l'acceptation comme membre soit maintenue: exclusion des blancs, mariés aux Indiennes.

Art. 3.—On ne veut pas payer de taxe.

Art. 4.—Opposition à l'affranchissement volontaire ou forcé.

Art. 5.—On ne désire pas le droit de vote.

Art. 6.—Exclusion des blancs sur le terrain de la réserve, exception faite du personnel religieux ou laïque approuvé pour fins éducationnelles ou religieuses.

Art. 7.—Maintien du système actuel des écoles du jour et demande pour ce groupe d'un hôpital-orphelinat—à Saumaur (Qué.).

a) Hôpital de 50 lits en plus 25 lits pour tuberculeux.

b) Ecole pour enfants pauvres et délaissés—50 environ.

### DEMANDES FORMULÉES

1—Besoin urgent d'un agent pour ces trois groupes parlant la même langue. Voici les problèmes actuels:

1—Le cas des malades dans les divers hôpitaux: Roberval, Caughnawaga, La Tuque.—N.-B.: Un hôpital, comportant un sanatorium comme pavillon détaché rendrait grand service. Il y a actuellement près de 20 cas de tuberculeux ou impotents.

2—Le cas des enfants débiles—de ceux dont les parents sont malades ou incapables de chasser ou de travailler.

3—Le cas de 5 ou 6 vieillards qui devraient être hospitalisés durant l'hiver—Ces personnes sont des charges réelles et très onéreuses pour leur famille, pauvre et devant voyager.

4—L'aide matérielle à fournir aux Indiens pour qu'ils puissent se bâtir de bonnes petites maisons.—Fournir clous, papier à couverture, planche. A Obidjwan et à Manaouan, il n'y a aucun moyen de se procurer surtout la planche. Depuis la construction de l'agence actuelle, tout aide accordée dans le passé a cessé. L'agent actuel n'est pas en faveur des habitations pour les Indiens. A un chef qui s'était bâti une bonne petite maison, l'agent a eu pour lui des paroles peu sympathiques. Mêmes remarques à Claude Flamand de Manaouan.

On signale le cas de nouveaux ménages à Obidjwan qui n'ont pas de maison à la réserve. Le cas se présente au 3 endroits plus haut nommés.

A Obidjwan il faudrait de toute nécessité reconstruire 45 maisons. Les maisonnettes actuelles tombent en ruine.

On ne doit pas demander aux Indiens d'habiter sous la tente 4 mois de l'été—C'est revenir à 35 ans en arrière. Durant l'hiver, la maison sert pour mettre en sûreté ce qui ne sert pas dans la forêt: poêle, table, chaises, lit.

Sur ce point il est bon de signaler que l'agent actuel n'est pas favorable au projet d'aide et d'habitation. Ceci est une erreur.

5—Il y a actuellement 5 ou 6 veuves qui doivent chasser. Elles n'ont pas de canot; elles ne peuvent en acheter. Que faire alors? L'agent pourrait-il faire quelque chose? Le canot est nécessaire à l'Indien pour tendre ses filets, etc.

6—L'agent actuel demande aux 3 chefs de demeurer continuellement sur la réserve pour voir aux choses pressantes—malades, etc... Or ces chefs ne peuvent dans ce cas aller chasser etc.,—Ils perdent de \$800 à \$1000. par année.

Si tel est le désir du département ne serait-il pas convenable d'allouer un montant équivalent à celui de la perte subie? Règle générale le chef est un homme qui gagne honorablement sa vie. Un montant de \$1,500 par année lui permettrait d'être toujours sur place, d'améliorer sa situation et même de s'intéresser à une culture appropriée et prendre soin du matériel du département.

7. On manifeste le désir que le système des lignes de trappe soit organisé. On constate de l'arbitraire dans l'appropriation des terrains. Le chef Paul Mequest s'est vu enlever par l'agent actuel son meilleur terrain pour le rat musqué.

On propose aux Indiens 50 milles carrés—sur la carte l'arpentage se fait par canton.—La chasse n'est pas la même chose. Le castor ne bâtit pas sa cabane sur un rocher. Sur ce point, il y aurait intérêt à demander l'avis des premiers intéressés: les trappeurs et ne pas imposer une solution par la crainte.

Ici se pose le problème des clubs. On enlève aux Indiens de grands territoires pour les réserver à quelques organisations. Nos Indiens sacrifieraient l'original mais ils demandent de garder le droit de trapper sur ces terrains. Un accord plus explicite avec Québec sur ce point. Autrement il ne restera plus aucun territoire pour le trappage.

On demande de donner plus de couples de castors.

8. On se plaint actuellement de la façon dont les allocations familiales sont remises. On a reçu à Weymontaching des articles d'aucune utilité: linge ou chaussures trop grands. On est sous l'impression que l'on vide les magasins de vieux stocks.

L'agent devrait porter plus d'attention à la chose et donner les instructions nécessaires à certains magasins d'avancer la nourriture pour les enfants: Weymontaching, Saumaur, La Loutre, Oskalanéo, etc.

9. On signale le manque de remèdes pour soigner les Indiens qui sont malades sur place. En été surtout, ceci aiderait à combattre grippe, rhume etc.

10. A Weymontaching, durant l'été les Indiens de la réserve demande la permission de couper de 800 à 1,000 cordes de bois de pulpe tous les ans. L'argent resterait aux Indiens et permettrait d'améliorer le sort de ces familles. Cette année ainsi que l'été passé, le bois a été coupé par eux sur la réserve de 700 acres de la Hudson Bay. La réserve indienne est de 7,400 acres environ.

11. A Weymontaching, à même le territoire de la réserve il y a 771 acres, appartenant à la Hudson Bay Co. Plusieurs Indiens ont bâti leur maisonnette sur ce terrain.

On a demandé dans le passé à M. Larivière d'acheter au nom du gouvernement ce terrain, propre à la culture.



Comme le bois de pulpe a été coupé, ce terrain s'achèterait à bon prix. Les Indiens seraient alors chez eux. Ils auraient de bons petits jardins.

#### PROJETS

Les soussignés se demandent si en ayant un agent à leur service ce dernier ne pourrait organiser pour eux:

- 1) Une coopérative pour la cueillette et la vente des fruitages, surtout des bleuets: Obidjwan, Weymontaching. Cette année on a perdu une certaine quantité de bleuets faute d'acheteur à Saumaur.
- 2) Une organisation semblable pourrait s'établir du côté d'Obidjwan pour le poisson.
- 3) Une certaine agence pour trouver du travail saisonnier en faveur des Indiens.
- 4) D'organiser une coupe systématique pour le bois de pulpe de la réserve de Weymontaching.
- 5) De promouvoir l'industrie domestique: fabrication du canot d'écorce, des paniers d'écorce, en trouvant un débouché et en organisant le travail sur les réserves.
- 6) La construction de maisonnette avec l'aide du département.

L'agent au service des Têtes de Boule serait sur place et verrait les Indiens non seulement une fois durant l'année mais beaucoup plus souvent, à chaque fois qu'on aurait besoin de lui.

#### PLAINTES FORMULÉES CONTRE L'AGENT ACTUEL

Les soussignés ont constaté avec regret que l'agent actuel malgré ses bonnes intentions et son désir d'aider les Indiens:

- 1) Ne peut suffire au travail—Le 6 septembre 1946, ce dernier n'avait pas visité encore les réserves Têtes de Boule—On le demande avec instance à Obidjwan depuis le début de juin. Ceci a fait perdre du temps et du travail à un certain nombre.
- 2) Que l'agent actuel ne semble pas favorable:
  - a) A l'école du jour pour les Indiens.
  - b) Au projet d'habitation pour ces derniers.
- 3) Que la ration de Joseph Antoine Connelly de Weymontaching a été enlevée. De plus on a proposé de faire retourner à la pointe Bleue le dit Antoine; ses enfants sont mariés à la réserve de Weymontaching.
- 4) On signale un cas à Obidjwan, Simon Aouachich dont la ration fut enlevée ainsi qu'à sa femme, sans raison valable.
- 5) On regrette également que l'agent s'impose par des mouvements de colère etc., surtout en certaines occasions.
- 6) On n'ose plus croire aux avancés de l'agent. Ceci est malheureux parce qu'on perd confiance au représentant du Département.

## APPENDIX GH

CANADA,  
Province of Quebec,  
District of Montreal.

FRANK MACDONALD JACOBS, gentleman of Caughnawaga, in the district of Montreal, duly authorized representative of the Indians of the Caughnawaga Reserve, in the district of Montreal directly interested in the application of the Law, concerning revenue taxes (deduction to the source).

*Petitioner.*

## PETITION

The humble petition of your petitioner:  
Respectfully exposes the following facts:

1. The Indians of Caughnawaga constitute a tribe or a family living within the limits of the Caughnawaga Reserve;
2. Said tribe, family, or Indians are governed by the "Indian Act", chapter 98, Revised Statutes of Canada, and its amendments;
3. The section 102 of the Indian Act, reads as follows:

No Indian or non-treaty Indian shall be liable to be taxed for any real or personal property, unless he holds, in his individual right, real estate under a lease or in fee simple or personal property outside of the reserve or special reserve, in which case he shall be liable to be taxed for such real or personal property at the same rate as other persons in the locality in which it is situate. R.S. c. 81, s. 99—

4. Section 110, paragraph 5 of the Indian Act, reads as follows:—

On the report of the Superintendent General (Minister) that any Indian, male or female over the age of twenty-one years is fit for enfranchisement, the Governor in Council may by order direct that such Indian shall be and become enfranchised at the expiration of two years from the date of such order or earlier if requested by such Indian, and from the date of such enfranchisement the provisions of this and any other act or law making any distinction between the legal rights, privileges, disabilities and liabilities of Indians and those of His Majesty's other subjects, shall cease to apply to such Indian, or to his or her minor unmarried children, or, in the case of a married male Indian, to the wife of such Indian; and every such Indian and child and wife shall thereafter have, posses and enjoy all the legal powers, rights and privileges of His Majesty's other subjects, and shall no longer be deemed to be Indians within the meaning of any laws relating to Indians.

3. Section 105 of the Indian Act, reads as follows:

No one other than an Indian or non-treaty Indian shall take any security or otherwise obtain any lien or charge, whether by mortgage, judgment or otherwise, upon real or personal property of any Indian or non-treaty Indian, except on real or personal property subject to taxation under the last three preceding sections; provided that any person selling any article to an Indian or non-treaty Indian may take security on such article for any part of the price thereof which is unpaid. R.S. 1927, c. 98, s. 105; 1930, c. 25, s. 10.

6. The Caughnawaga Reserve is in the immediate surroundings of the Town of Lachine, Ville St-Pierre, Verdun and Montreal, and a great number of Indians of said Caughnawaga reserve are working in the different munitions plants, erected in said different towns;

7. The Caughnawaga Indians who are thus working outside of their territory, but in the neighbourhood, have their domiciles within the limits of said reserve; they leave their domiciles in the morning to go to work; and at night, their work finished they come back to their homes in Caughnawaga;

8. A great number of Indians have actually crossed the border and are working in the United States, precisely to avoid revenue taxes (deduction to the source), because in the United States, such revenue taxes do not affect the Indians;

9. In fact, since the last seven months, the Indians, working in the United States, have paid out to their dependents within the limits of the Caughnawaga Reserve over \$10,311.74; being the amount verified by means of money-orders and an additional sum of \$5,579, amount verified by cheques deposited in the banks;

10. Your petitioner respectfully submits that the Indians are not subject to said revenue taxes (deduction to the source);

11. Your petitioner bases his present petition on the laws, judgments of different courts, the treaties, the English principles of rights, and the facts hereafter mentioned;

(a) The Indian Law, chapter 98, Revised Statutes of Canada, sections 102, 105 and 110, paragraph 5;

(b) In a record of the Superior Court, Montreal, case of Crepin vs. Delorimier et al, and the Banque Canadienne Nationale, Tierce-Saisie, the Honourable Mr. Justice Philippe Demers, has decided, in 1930, that the moneys deposited in a bank situated outside of the limits of the Caughnawaga Reserves, by an Indian, constitute an incorporated right, non-susceptible to be taxed by the actual laws, and consequently, being unseizable. This judgment has been reported in Volume 68, page 36, of the Official Judicial Reports of the Province of Quebec;

(c) In 1936, United States Court of Customs and Patent appeals (Customs Appeal No. 4018), the following has been decided:

Indians are not citizens or subjects.

The Indian though born within the territorial limits of our state, is not a citizen. He does not possess the rights, nor is he bound to the duties of a citizen. He is governed by the laws and usages of his tribe, and is only subject to our laws, so far as the public safety requires;

(d) On the 19th day of November, 1794, the treaty signed between the United States and Great Britain, commonly called "Jay Treaty", consecrates a general exemption of taxes for every Indian;

(e) The same principles appear in the Treaty of Gand (1814);

(f) On the 15th of March 1878, The Treasury Department in Washington has enacted: "That all Indians are free of duties passing or repassing the boundary lines of the United States and Canada, and also free of taxes, licence in trading and selling bead-work, bark-work, baskets, snow-shoes, mocassins, medicines, etc., etc., of their own manufacturing in premises";

(g) The big Chart. "British born subjects should not be taxed without adequate representations in the Parliament";

(h) The Indians are considered as minors and cannot benefit of the right of voting, not even to the right of old age pensions;



(i) Mr. Aimé Geoffrion, K.C., has already emitted the opinion that revenue taxes (deduction to the source) could not be applied to the Indians of Caughnawaga, having their domiciles within the limits of the Caughnawaga Reserve;

(j) From 1914 to 1918, during the last World War the Indians have been exempted of all revenue taxes; they, even have been exempted from military service for the motives hereinabove mentioned;

(k) The federal authorities have reimbursed to the Caughnawaga Indians, the revenue taxes which had been retained by their employers. In fact the Dominion Bridge Company, Limited, had retained, on the salaries of M. M. Joseph Cross, Julien Jacobs and Alexander Beauvais, their share of revenue taxes. In August, 1929, on the representations of your petitioner the federal authorities have reimbursed to the said three Indians above mentioned, the moneys which had been retained by the Dominion Bridge Co., Ltd., paid over to the government.

(l) The Quebec Government (Provincial), Succession Revenue Department, has always recognized that there was no exigible rights on the Indians' successions;

(m) Every city or town who have adopted municipal by-laws to impose a tax on strangers coming to work in those cities or towns, have exempted the Indians. In fact, in 1911 the Town of Lachine had passed a by-law to tax all strangers coming to work within the limits of the said town of Lachine but it has exempted the Indians. In 1931, the town of Bathurst, N.B., has proceeded in the same way. In 1939, the Town of Sydney, N.S., did the same.

12. For all the reasons above mentioned, your petitioner asks respectfully that the law on revenue taxes (deduction to the source) be amended in such a way that it would be clearly established that the Indians of Caughnawaga who are living in tribe, or in family in the Caughnawaga Reserve, be exempted of paying income revenue taxes (deduction to the source), and of all taxes.

Caughnawaga, February 12, 1943.



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Canada, Indian Act, 1947  
Checked on the 1947

(SESSION 1947)



(SPECIAL JOINT COMMITTEE OF THE SENATE  
AND THE HOUSE OF COMMONS

APPOINTED TO CONTINUE AND COMPLETE THE EXAMINATION  
AND CONSIDERATION OF THE

INDIAN ACT)

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 35

TUESDAY, JUNE 17, 1947

WITNESS:

Dr. P. E. Moore, M.D., D.P.H., Director, Indian Health Services,  
Ottawa.

OTTAWA  
EDMOND CLOUTIER, C.M.G., -B.A., L.P.R.,  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
CONTROLLER OF STATIONERY

1947







## MINUTES OF PROCEEDINGS

HOUSE OF COMMONS,  
TUESDAY, 17th June, 1947.

The Special Joint Committee of the Senate and the House of Commons appointed to continue and complete the examination and consideration of the Indian Act (Chapter 98, R.S.C., 1927), and all such other matters as have been referred to the said Committee, met this day at 11 o'clock a.m.

*Presiding:* The Honourable Senator W. H. Taylor and, later, Mr. D. F. Brown, M.P., Joint Chairman.

*Present:*

*The Senate:* The Honourable Senators Fallis,, Macdonald (*Cardigan*), McKeen, Robicheau, and Taylor—5.

*The House of Commons:* The Honourable Mr. Stirling and Messrs. Brown, Blackmore, Bryce, Case, Castleden, Charlton, Farquhar, Harkness, Matthews (*Brandon*), (Vice Chairman), MacLean, MacNicol, Raymond (*Wright*), Reid —13.

*In attendance:* (From Indian Affairs Branch): Messrs. R. A. Hoey, Director; B. F. Neary, M.B.E., Superintendent, Welfare and Training; (From Department of National Health and Welfare): Doctors P. E. Moore, W. L. Falconer, H. A. Proctor and O. Leroux; also Mr. W. Ford Pratt; Dr. G. J. Wherrett, Canadian Tuberculosis Assn.; also, Rev. Paul Dumouchel, O.M.I., Fisher River Reserve, Manitoba; also, Mr. Norman E. Lickers, Barrister, Counsel for the Committee and Liaison Officer.

P. E. Moore, M.D., D.P.H., Indian Medical Services, Department of National Health and Welfare was recalled. He continued his statement with regard to Indian Medical Services and also proffered suggestions and recommendations concerning not only those services but also other aspects of our orders of reference.

The Committee adjourned at 1 o'clock p.m., to meet again on Thursday next, 19th June, at 11 o'clock a.m.

T. L. McEVOY,  
*Clerk of the Joint Committee.*





## MINUTES OF EVIDENCE

HOUSE OF COMMONS,  
June 17, 1947.

The Special Joint Committee of the Senate and the House of Commons appointed to examine and consider the Indian Act met this day at 11.00 a.m. Mr. D. F. Brown, M.P., (Joint Chairman), presided.

The CHAIRMAN: Gentlemen, last week we heard from Dr. Moore of the Department of National Health and Welfare. Is it your pleasure that we now continue with Dr. Moore?

Some Hon. MEMBERS: Agreed.

**P. E. Moore, M.D., D.P.H., Indian Medical Services, Department of National Health and Welfare, recalled:**

The WITNESS: Mr. Chairman, honourable members of the Senate and the House of Commons: last week I had outlined some of the services operated by the department and some of our plans for the future and touched briefly on the Eskimo services. I would like to speak briefly on the problem of nutrition among the Indians. Experience, observation and scientific investigation have led me to believe that many problems encountered in dealing with the Indians, particularly problems of health and general progress, are caused in no small measure by an inadequate diet. There are many factors involved in this. Certainly, the Indians are in a transitional stage. Many of the Indians, I am speaking more particularly of the large group that are loosely classed as bush Indians, the Indians who still look to hunting and trapping for their livelihood are conscious of change. In place of hunting for food as they used to they now hunt for fur with the consequence that they have come to depend more and more on store food and they do not buy wisely from the nutritional standpoint. The staple becomes flour, tea and lard, with a lot of sweets; and even now they do not make the best use of their native foods. Where the older Indian used to eat the whole of the animal and not clean his fish they now prepare the food in much the same way as the white man does and discard the parts of the animal that were life-savers to them before; the parts that are rich in the protective foods such as the vitamins and the minerals—the glands and the stomach, even the heads and tails of the fish and the viscera, and those parts of the animal which are richest in the protective foods. In a previous meeting I believe some of the work that we have published was referred to and put on the record, and I think that explains very fully the conditions that have been found by investigators.

The CHAIRMAN: You are now referring to "Medical Survey of Nutrition among the Northern Manitoba Indians" by Dr. R. S. C. Corrigan; and to "A Survey of the Ophthalmic Status of the Cree Indians at Norway House, Manitoba," by Wing Commander John V. V. Nicholls; and those reports are to be found at page 101 *et seq.*, of Minutes and Proceedings of 1946.

The WITNESS: Now, one of the ways in which this condition may be remedied is by education. Certainly, the long-term policy should be education. It will be difficult to change the Indians' food habits as they become established. Since this work was started in 1941 and attention focussed on some of the

problems we do know that there has been a tremendous increase in gardens and gardening among the Indians; and there are records to show that milk consumption, even before the institution of the family allowances, had doubled and trebled from those areas where a few of the people became interested in encouraging the Indians to better their food habits. We have dispensed vitamin pills to people who are obviously suffering from a lack of some of these specific vitamins, and we have searched for ways and means to find a remedy; and we do feel that a practical and quick method as opposed to the long time education would be to give the Indians some fortified food in a carrier that would be made universal. According to present habits we know that this would be flour. But we do feel that if some of the vitamins, the B-Complex and iron of calcium were added to flour, and this distributed through a large section of the Indians that it might do a great deal toward bringing them up physically. There is an order in council at present which prohibits the so-called enrichment of flour, and this is a very controversial point; but even the strongest proponents of the long extraction as opposed to the enrichment policy of flour have said that with a special problem such as the Indian they did not believe there would be any great objection to fortifying. So it comes down to how practical it would be to distribute the one type of flour to the Indians with the balance of the country, say, on another type of flour. But I think there is room for a great deal further investigation on this problem, and probably a different policy could be established by the department.

I would like to refer briefly to the health service in the residential schools. Some remarks that I am going to make are not to be interpreted as added difficulties that have been experienced since my service has been in a different department to the rest of the Indian administration, because one or two specific things to which I am going to refer as examples occurred when my service was a part of the Department of Mines and Resources. As you know, there is dual control between the government and the churches, in educational matters and particularly at the residential schools, and our trouble has been the lack of any real authority in dealing with the health problems in those schools. I have reported and made recommendations regarding overcrowding in dormitories; too many children shoved into a small room. I have seen schools where the beds were so close together that the pupils had to walk across them to reach their own bed. I brought that to the attention of both the school and the department without success in getting the condition remedied. For years we in the medical services have condemned certain residential schools as being unfit for the job which they were trying to carry on; but it just cooled off there. Eventually a school to which I just referred was closed; and its closing was long overdue. As I mention this lack of authority, let me tell you a brief story which is a true incident that points out some of the difficulties which we encounter. We have tried to give limited dental services to pupils in certain of the schools and through an arrangement which was made with the Manitoba Dentists' Association the services of a dentist were made available and the department was called upon to pay nothing more than the travelling expenses of this dentist. In due course the dentist went out and visited one of these schools and a room was made available to him where he could do his work for the children living there. He was one of those chaps who likes to stop and have a smoke between patients. He would light a cigarette. The official in charge of the school told him he could either stop his smoking or get out. Well, you know what the answer was. He was just there temporarily; he didn't like that kind of treatment, so he left the school that day. That matter was referred to Ottawa by wire and instructions were wired back to the Indian agent to ask the principal of that school to allow this dentist to proceed with that work. The principal replied that he was running the school and that no one was going to smoke there. The upshot of the matter was that the dentist went



back to Winnipeg and there are 120 children at the school there who were left without dental service.

Mr. BRYCE: Yes, and it cost the government \$400 for his travelling expenses.

The WITNESS: Yes. I think you know that there is some fact in the story.

Mr. BRYCE: Yes.

The WITNESS: That is the type of thing that does make it difficult. We can go and ask for certain things to be done. I must say that we have had splendid co-operation from the principals of most of these schools. We have had it under this present department in our nutrition campaign and we have had no particular antagonism from most of the residential schools; they have given us wholehearted support, by and large.

I feel that every school should have a qualified nurse, a registered nurse. There has never been a set policy whether or not a nurse would be assigned to a school. It has been left to the individual school. There have been cases when it has been inferred that the medical services should pay for the service of the nurses. I suppose it all reflects back to the financial position of the school. They have not felt able to get a qualified nurse. Some schools have them, others have just a lay person who acts as a practical nurse in the school. My own recommendation would be that if the health service were to supply nurses for the schools they should be responsible to the medical services and not to the schools, I have the feeling that this would not be well-accepted by the schools, but it seems to me that it would be the only way that the medical service could keep its finger on health conditions in the school.

Now, I believe I made most of my point in connection with the medical services as such in a previous meeting and I am going to be bold enough to offer some opinions that I have formed on general problems relating to the Indian and Indian administration. Through the years that I have been associated with this work I think that four headings will cover most of the aspects of the problems, and these headings will be economic, sociological, educational and health.

Dealing first with the economic: in the economic field certainly something has to be devised to replace the native livelihood of the Indian if this problem is to be solved. I listened to many of the presentations that have been made and I know many of the places referred to from practical experience. I am sure that a great number of the reserves are absolutely inadequate confines in which these Indians must seek their livelihood. Take, for instance, the presentation of the Manitoba Indians. I knew the reserves from which those men come. They only make their livelihood, that particular group, from one or two sources; either trapping or hunting, and they augment that by very meagre attempts at farming; because there is no arable land, it is all rock and muskeg; and for the balance of their livelihood they are dependent on the cutting of cordwood. Cordwood has been depleted from these reserves and they have to go out and get it in new territory. Unfortunately, there is an increasing resistance to allowing these people to take cordwood, and the white settlers are encroaching farther and farther; and for many of these Indians it is a pretty grim outlook economically. The same applies to trapping. That has been fully dealt with and adequately enough; but I would just like to endorse the representations that have been made as to the increasing difficulty the Indian is having in trapping and fishing.

The sociological problem is a large one. We hope that this investigation by a special group, recommended by this committee, which will be getting under way this year in the James Bay area may throw some light which will give us guidance in handling this intricate problem in the best possible manner. There seems to be some discredit thrown upon the half-breed. Popularly you will hear this expression loosely used; that the half-breed is not as good as the Indian. I would like to come out frankly and say that in any dealings I have had with this problem the admixture of white blood has been all to the good. I think, for



instance, of some of the Manitoba Indians who many generations ago were largely intermingled with white settlers—particularly those who came to the old York Factory area, people who came through the northwest passage—though those Indians have gone back pretty much to their natural life; it seems to me that they are very receptive people and that you can certainly do more with them than you can with the ordinary Indians. I think that in thinking of that problem it is only fair to state frankly, that it has not always been the best white blood that mixed in (and I am not referring particularly to the Scotch). But I make this statement to back up what my belief is, that the ultimate aim should be assimilation or absorption. Mixed marriages have often worked wonders for the coming generation. There is a pride of Indian blood in these people. James Oliver Curwood prefaces one of his books by dedicating it to his granddaughter who was a full-blooded Cherokee Indian; and I recall the famous statement of Will Rogers when some people told him that their forefathers arrived in the Mayflower. He said, "Well, my forefathers were here to meet them." There is a distinct pride of Indian blood in people who have come down through generations with the mixed blood. That is well exemplified by the Red River settlers. Some of the best families there are part Indian, and they certainly are good people.

Mr. BRYCE: I am glad to hear you say that. I did not want to boost my own community too much.

The WITNESS: I think it might be worth while to make a brief reference to a tribe that formerly inhabited a portion of western Ontario, the Wyandottes. These people were left without a reserve and they disappeared. I did not in my time of duty at headquarters, come across a single Wyandotte Indian; they had just disappeared into the general native population. Just remember some of your dark-eyed friends from western Ontario and that may tell you the story of where the Wyandottes have gone.

Mr. CASE: They were people with dark eyes, were they?

The WITNESS: Yes. I am going to be bold enough to mention some of my opinions on education. We hear comparisons made and questions asked regarding the efficiency of the residential school versus the day school. I want to make one observation there; that is to say that the dual control by church and state is more apparent in the residential schools than in the day schools. My own reaction would be to endorse the general policy recommended to this committee by Dr. Andrew Moore. I agree with him that there is still a place for the residential school, to supply education for the children of broken homes, orphans, and for some kinds of still nomadic Indians. I do not think that in any comprehensive program it would be necessary to make any drastic change, such as closing a number of these schools, but I think the whole policy should be to increase the number of day schools in the settled areas.

Mr. CASE: Should the residential schools be handled by the state?

The WITNESS: Yes, I think they could be. That is a problem they will have to face, very definitely. The day schools for the settled Indian could be increased. Take the big reserves in southern Alberta. I know a large section of the Indians would welcome the opportunity of keeping their children at home and having them attend school. At the present time I do not think there is enough departmental control exercised in the choice of children for the residential schools. I think the school principal in his desire to make a good showing probably picks out the better children and the children that would most benefit by residential schools are sometimes left. I do not think the breaking up of the Indian home to the extent to which it has happened is a healthy thing. I think it has taken the responsibility for the family away from the Indian and left them too foot-loose. Where we have the children attending day school we keep the parents interested in keeping a home for ten children and in having gardens and carrying on their farms. I think a remark which was made by

Dr. Andrew Moore is worthy of emphasis; that is, that I think the department should have more leeway and should be encouraged in what you might call experimentation or investigational work in connection with the various types of education. They are not free to do that at the present time; and I think the committee might follow the point that he suggested. In that regard I would like to put on the record two extracts from a report made to the medical service by Dr. L. J. O'Brien, M.L.A. He was reporting on conditions at Grande Prairie, Alberta. He was there at that time and his visit dealt with a number of tribes in the Lesser Slave agency; and he made these recommendations from which I am going to take two extracts. The first one is:—

GRANDE PRAIRIE,  
22nd June, 1943.

Dr. MOORE,  
Medical Officer,  
Indian Affairs,  
Ottawa.

DEAR SIR.—Reporting on medical examination of the Indians of Lesser Slave agency, made during June, 1943:

The examination covers the bands at Hay Lake, Fort Vermilion, Little Red River, Chippewyan Lake, Long N. Wabiskaw, S. Wapiskaw, Whitefish and Lubicon Lakes.

I was interested in the children of the mission residential schools at Ft. Vermilion and S. Wabiskaw (R.C.) and at N. Wabiskaw and Whitefish.

These children enjoy fresh vegetables, milk, butter, fruit, eggs, bread and good beds—for the six or eight years, they are in residence but the priests, clergy, nuns and teachers all tell the same story, that they revert to teepee life of bannock, lard, and the ground when they leave school.

I do not agree with the present policy of the missions in keeping the children in residence continuously for six or eight years. If the Indian is going to be a national asset it will be as a trapper. The children should be sent to the trap lines with their parents, where they learn early the business they are to follow.

From May to the end of September they could be gathered into the schools and taught the elements of white life.

And a further report from Dr. O'Brien states:—

At Hay River I talked with the wife of the chief. She was a woman of 27 years, has had six children. She had spent 6 years at a mission, spoke English well, and was a superior type.

She had two girls, 4 and 6, with her, and they were as clean, as well dressed and as alert as two similar children in one of our towns.

I asked her what she fed her girls for breakfast—"Bannock". "How do you make the bannock?" "Flour and water, sometimes we use baking soda and we eat it with lard."

"What do you give them for dinner? and for supper?"

"Bannock".

She took me to see a two months infant whose mother had died. The infant was emaciated. They were feeding this infant—bannock.

There is no doubt that in all the bands this is the staple food for weeks and maybe months. The children are fat enough, but it is of the "hanging cheek" variety.

When a moose is killed or when they get fish they have meat. At the mission schools they eat vegetables, milk and a mixed diet, but mission teachers and traders all told me that when they leave the mission they go back to teepee life in nearly all cases.



The Indians do nothing from the time they come out from the trap line early in May until they return in the middle of October. They make no attempt to do any gardening.

This raises the whole question of the best way to help the Indian. He is going to make his living at trapping. He likes it and does fairly well at it.

It seems to be a mistake to take these children and keep them in a school between the ages of 8-14. They should be out with their parents learning the job at which they are to make their living.

My notion is that a large school should be available where the children may be gathered between May 1 and October 15, given milk, vegetables, etc., and shown how to garden and look after animals, then chased out to the bush for the winter. Gradually something may sink in.

These children enjoy games at school, the same as our children do, but there seems to be a lot of waste motion in teaching them extensive religious forms. An ideal place for such a farm would be somewhere between Ft. Vermilion and Hay Lake.

We have still to remember that physical well-being of the native depends on fur, and that fur will not thrive unless we take care of the forests and water courses where fur thrives. Intelligent damming of certain water courses between Lesser Slave Lake and Ft. Chippewyan and in the Hay Lake area would establish a permanent industry for the Indian.

A beginning has been made, I believe, in Manitoba, and it can be extended widely in the Driftpile agency.

Thanks for the chance to make the trip. It was a bit rough, but it was worth doing once.

Sincerely,

L. J. O'BRIEN, M.D., M.L.A.

I put this last excerpt on the record chiefly to bring out his idea of special seasonal schools, which in my opinion have a great place in the educational system for these northern Indians. I think we all have to admit that the present system of education, judging by results alone, leaves room for vast improvement. I do not believe that I referred to the fact that it was a policy of the health service to give preference in employment to natives. We have had at various times three Indian doctors in our employ; we always have a number of Indian nurses working for us. Some of the Indian girls have been gold merallists in their classes. An Indian girl was class president of one of the graduating classes of the Ottawa Civic hospital. She was so well accepted by her nurse associates as to have been chosen by them as the president of her class. I think at the present time we have four or five Indian nurses employed. It is difficult to say just how many there are at any given time, because they come and go. The Indian girls, curiously, once they become established in their profession leave our service to work in the white hospitals. We have had a number of them who did that, but if they ever want to come back we employ them immediately. That has always been our policy. We have a continual recruiting campaign going on on the reserves to use Indian girls for maids and we train them as ward aides. We bring them along as far in our system of hospitals as their basic education will allow; but, unfortunately, there are not sufficient of these girls who have enough basic training to proceed even to the point where we would pass them as nurse's assistants or ward aides, according to how much responsibility can be delegated to them by the nurses. With the present shortage of nurses we are using unqualified nurses in any job to which they can be



assigned to work under the supervision of nurses, and a lot of our Indian girls are getting valuable training. This has a definite benefit in the Indian home. I have had occasion to visit homes, around Fort Qu'Appelle for example, and the File Hills agencies, where the girls who had worked for a number of years in our Fort Qu'Appelle Indian hospitals had absorbed sufficient training which they applied in their homes to the advantage of themselves and their families. We find in many cases this good effect does follow through in the way they look after their children, but in some ways it didn't appear to be getting across. I have an Indian on my staff at headquarters, P. J. Bernard, who has been over twenty years with us, and I want to say this for him, that he is one of the most reliable and efficient civil servants in Ottawa.

Coming back to administration for a moment, the key men in the Indian administration are the Indian agents. At this time I would like to record appreciation of a very fine body of public servants who have carried out a difficult task under adverse conditions; often overworked and underpaid; often without adequate supervision and with inadequate assistance. They have a great problem to deal with; they have to deal with the whole gamut of human relations; and too often their reward is a tirade of abuse from a disgruntled, dissatisfied unhappy Indian who vents his spleen on a long-suffering agent. His job is an important one, and I do not think too much emphasis can be placed on care in the selection of an Indian agent. I feel that a forward step would be to abolish appointment by district or by provinces. I know something of the difficulties which the Indian Affairs administration are experiencing in trying to find suitable agents in a district as defined by present regulations, when they have to be recruited from a certain area.

Mr. MATTHEWS: How large is such a district?

The WITNESS: It often corresponds to a federal constituency, and local preference will apply to that area. I know of cases where the whole progress of four or five thousand Indians have been impeded over the years because the department could not find in that area a man suitable for appointment as an agent. They tried one after another after another over a number of years without success. I would strongly recommend better working conditions and an adequate staff, both clerical and with respect to farm instructors, for the Indian agent.

I think another very important point is about the training of these Indian agents. In far too many cases a man just comes in and applies for appointment as an Indian agent. Too often he will start in with no experience and little, if anything, in the way of instructions to guide him when taking over the responsibility for possibly 5,000 people. Just recently, comparatively speaking, an excellent manual has been prepared which is placed in the hands of newly-appointed Indian agents. This is not always the case; very often the instruction he got was some circulars from headquarters, supplemented by infrequent visits from inspectors. The new manual of instructions which the Indians Affairs branch has put out is a great help to agents. I have in mind the sharp contrast to this procedure in the Department of Trade and Commerce. There, when they appoint a man to act as the trade commissioner to some foreign country they are allowed wide latitude in the selection of the individual and they bring him in for a course of intensive training before he is sent to his post abroad. I think that every candidate for appointment as an Indian agent should have special training before he goes out and takes over his job. I think, too, that more of the headquarters officials should have field service training.

Mr. CASE: I agree with you on that.

The WITNESS: I do not think it is fair to put a man in charge of a whole branch of the field service who has not had experience in the field. It may be that it might be difficult to find a man in the field service to fill the necessary positions, but I think this might be construed as a criticism of the field

service not having been of the calibre who can be brought on to positions as executives. And I think there should be an interchange between head office and field position to a greater extent than has been the case in the past. I think they can both learn a lot more about their responsibilities if there are opportunities for interchange between head office and field staff.

Now, Mr. Chairman, with your permission, I would like to make some observations about a question which I know is contentious in western Canada, that is the permit system. I was for eight years on a reserve where the permit system was in effect. It was the policy of the government through the Indian Affairs Branch to supply bulls and that kept the stock up to a very high standard. That is shown to-day in the very excellent breeding of much of the stock on these Indian reserves. Had it not been for this permit system I do not believe there would be a pure bred animal on these reserves, if the Indian had been allowed to sell just whatever he chose. I think the permit system has often resulted in a great deal of protection for the Indian; and I have seen the Indian agent interfere time after time, getting the Indian fair prices, or keeping him from trading off his products; produce that he needed for his own use for, say, an automobile or a radio. It gives the Indian agent a chance to act as a guide and counsellor for these people. Now then, as the Indian progresses my recommendation would be that on the advice of the chief in council and on the recommendation of the Indian agent, the provincial inspector should have authority to issue to any individual Indian an open permit; that is, a permit under which he can sell. The time would come when the progressive Indian could get an open permit, and if he abused it it could be revoked either by the inspector, or by the inspector on the advice of the agent and referred back to the chief in council. If the Indian knew that he had to handle his affairs in a businesslike manner or lose his open permit, this privilege I think it would be a big incentive to him to act wisely. I think such an arrangement would be welcome to many Indians and I think that many Indians have sufficient background to justify the extension of such a privilege. I observed that the Manitoba Indians did not advocate very strongly the abolition of the permit system. My advice to the committee would be to give very serious consideration to that point, because it has very, very far-reaching effects in the administration of Indian affairs in the western provinces.

Mr. CASTLEDEN: Would you say that there have been cases indicating abuse?

The WITNESS: You can't get a system that one can't find a way to defeat; but I believe this system of open permits being available might tend to eliminate some of the abuse, if an Indian who it was decided was entitled to an open permit had an opportunity to obtain one.

Mr. CASTLEDEN: I agree with you there. I think we should recommend that, and that it should come up for particular discussion at some future time.

The WITNESS: I think the chief in council could make a recommendation to the Indian agent or the inspector in the province, and if he thought—

The CHAIRMAN: That is a matter which will come up for discussion later.

The WITNESS: Yes.

I think that regardless of which service employs them there should be some trained welfare and social workers working among the Indians. The greatest progress that I have seen on any reserve has been the result of enlisting nurses who probably were spending more of their time on social welfare work than on actual nursing. It is really the welfare side of the work that is important. I have seen differences that were apparent from work after even a year or so of the proper type of social welfare worker.



It is my opinion that the whole administration of Indians and Eskimos would function well under the Department of National Health and Welfare. One of the reasons—the chief one, of course—is that it would bring two services under the administration of one department. I would be averse, from the experience that I have had for two years working with the Department of Health and Welfare, to leave that service. I think there are so many advantages in having the health service tied in with the Department of National Health and Welfare, I feel it would be a very retrograde step if my service were to be detached from the Department of National Health. There are other reasons for my being, well, not being timid about offering these opinions: and I feel the work in this department, welfare itself, under the Deputy Minister of Welfare, has trained welfare workers and social workers. Also, they administer the old age pensions, they have the blindness control division and the division of physical fitness, health, education, and T.B. administration, family allowances—and, after all, if this whole Indian problem is not a welfare problem, what is it?

Mr. BRYCE: Do you think the Indian would just become a side line with Health and Welfare?

The WITNESS: It has not proven so as far as medical services are concerned. My service is the biggest service in the department and it has been given a very senior place; and it has been given every assistance and co-operation from the rest of the department; all that any one could ask for. It occupies a very senior place in the administrative set-up.

Mr. MACNICOL: Mr. Chairman, if I might interrupt; it is not always possible to be here in the afternoons, and this apparently is the last occasion on which Dr. Moore will be here for us to ask questions. I am wondering if it would not be well for us now to ask him questions.

The CHAIRMAN: I was going to suggest that Dr. Moore will be here on other occasions. I was wondering if it would not be best to dispense with the afternoon meetings.

Mr. MACNICOL: That would not help me. I have some questions I would like to ask him now. The doctor has been here for a couple of days now and he has given us a very full outline of the background of his section of the work. I think from what he has said we should now turn to questioning.

The WITNESS: Well, Mr. Chairman, I have just about completed my presentation.

The CHAIRMAN: Let us just settle this. Dr. Moore has to leave Ottawa Friday night. We do want an opportunity of questioning him rather fully. Would it be in order if we were to meet, say on Thursday and Friday mornings but not in the afternoons? Do you think that would give us enough time to complete our questioning of him?

Mr. MACNICOL: Friday morning would suit me fine. I have to be on another important committee which is just about finishing up its work. It meets this afternoon. I would really like to be able to devote all of my time to this committee, but it does seem that that is not possible.

Mr. REID: There is a rather important point which I had hoped to bring to the attention of the committee this morning. It relates to the discharge of a school teacher out on the west coast, and that apparently has raised a great deal of criticism of Indian Affairs; and more particularly of this committee. That is a rather urgent matter which I think should receive immediate attention, and it was my purpose to bring it to the attention of the committee this morning.



The CHAIRMAN: In the meantime, gentlemen, I think we shall let this witness complete his presentation and then he will be available for questioning. Is that agreeable?

Some Hon. MEMBERS: Agreed.

The WITNESS: I would now like to refer to the increase in the estimates for Indian health services. They were published in the brief presented by the Honourable Brooke Claxton last year, and you will note that the table shows an increase from \$3,900 up to \$2,329,163 for 1945-46; which was the last year that the estimates were prepared for submission through the Department of Mines and Resources. For 1946-47 the estimates provide \$4,103,390; and in the printed estimates which have not yet been dealt with in this House up to this time, there appears the sum of \$4,638,808; and, grants to hospitals of \$219,320.

The CHAIRMAN: That table is found at page 66 of the 1946 Minutes of Proceedings of this committee.

The WITNESS: As I said, I was putting my remarks in two categories; those which were direct and affected the medical services; and the others, when I said I would be bold enough to offer some of my own observations and opinions. To return to the strictly health problems, I have a few specified recommendations to make, and that will complete my evidence. My first recommendation would be to leave the Indian and Eskimo health services in the Department of Health and Welfare.

Certainly, I would recommend an extension of the system of departmentally operated hospitals, and putting hospitals at such posts as Norway House, Sioux Lookout, Moose Factory and other points, these hospitals to have contributory to them a series of nursing stations; and those nursing stations should be equipped with a two-way radio so that the nurses could frequently consult with the doctors; and a prime necessity would be to make available an air service so that patients could be taken to proper hospitals for treatment and so that the doctor could make frequent visits to those nursing stations.

My third recommendation would be the provision of adequate noonday meals at all day schools. I think that all authorities will agree on the benefits that would be derived from this procedure. Various studies and investigations have been going on throughout the world into this matter of noonday feeding of school children and they all point to the benefits going far beyond the trouble and expense involved.

I recommend the appointment of more fulltime medical officers, more public-health officers and nurses.

I think the authority of the department for the compulsory treatment of venereal diseases, tuberculosis and trachoma in particular should be strengthened when the Act is revised.

I recommend the appointment of a fulltime trachoma control officer. Trachoma is a troublesome disease in certain areas, particularly in the prairie provinces and in Ontario—southern Ontario—and in British Columbia.

I recommend that the department proceed with an adequate nutrition program. I would consider that advice from this committee would be very acceptable to the administration regarding the eighteen months' clause for payment of medical services to Indians who have been away from their reserve for that length of time, regarding the payment from band funds of medical costs of Indians who are in a position to be able to pay their own medical expenses.

I think consideration should be given as to how far the department should go with complete dental services to Indians, with the supplying of glasses, hearing aids, or thopedic appliances and such procedures from public funds. It is something upon which we have no established policy. We have dealt with each case on its merits in relation to our budget.

Of all these recommendations the most urgent I consider to be the construction of three or four more key hospitals and nursing stations.

That completes my presentation, gentlemen.

The CHAIRMAN: Thank you very much, Dr. Moore. Now, if it is agreed Mr. MacNicol will ask his questions.

*By Mr. MacNicol:*

Q. I have been impressed with what the doctor has said. I may be a little definite in my fixed position as to whether the medical services should be under the Department of Health or the Department of Indian Affairs, but in my opinion I think they should be under the Indian department, because it looks to me to be a division of authority to have two departments, looking after one body of people. In fact, I think you criticized—I interpreted your criticism of past medical services as rather severe and quite a reflection on the Indian department—on the medical services of the Indian department. If these services have been so ineffective that you now feel you should reverse the whole picture and take the whole Indian medical department from the Indian department and hand it over to some other department, it looks like a very severe criticism of the Indian administration.—A. It was not a criticism.

Q. Have you been in charge of medical services in the Indian department?  
—A. Yes.

Q. I think you very severely criticize your former department if you now take the position that all of that should be reversed and that particular work should come under National Health and Welfare, because there is a division of authority there.

Mr. CASE: He gave that opinion for a very good reason. He said that after all health services are health services.

The WITNESS: I tried to point out—

Mr. MACNICOL: It means that the next move will be to take the educational system out from under the present administration. However, I have very few questions to ask.

*By Mr. MacNicol:*

Q. This morning, Doctor, you mentioned something about the teaching of religious forms and you read a report—from someone else, I presume—that the time taken up in religious forms in the day schools and residential schools did waste a lot of time which could be more effectively used for teaching the children something which would help them to get along in life. Now, I want to know why that is allowed, and who has control of it?—A. What I put on the record was an observation by a field medical officer; it was incidental to these other recommendations. I think any questions regarding education should be properly addressed to either Mr. Hoey or to one of his officers.

Q. That observation you read this morning was similar to what we have heard before. Personally, I am in favour of the Indian having religious teaching, but there is a place to teach religion. The children should be taught how to get along in life in the schools, and they should be taught religion somewhere else; and what you read this morning was something along that line.

Now, there was something said about giving the chief in council more leeway in connection with the issue of permits. What do you recommend in that regard, and how would you bring that about?—A. I recommended that the chief in council be given the power to recommend to the Indian agent—the Indian agent always attends council meetings—and this body, the chief in council and the Indian agent would have authority to recommend open permits to Indians who could handle their own business, and the inspector could delegate the issuing of those permits to the agent as long as the Indian is able to handle his own



business and demonstrates that he can, and that would allow him to sell any of his own produce and cattle. If the Indian made foolish decisions and was disposing of his herd and was improvident to his family through the sale of his produce the permit could be cancelled. A good deal of that authority both to recommend the issuing of the permit and the cancellation of it, should be left with the Indian council. The Indian council is capable of doing that and will do a good job.

Q. If the Indian agent has power to upset the decision of the Indian council, what then?—A. The Indian council certainly would have an appeal, and that is where the inspector would come in. He would be able to judge whether the Indian agent was acting wisely or not.

Q. To whom would they appeal?—A. They would write to the department. We get letters from Indians all over the country and we investigate those circumstances.

Q. I said that the time has come to give the Indian joint council and chief much more authority than they have at present. Something was said this morning about inspecting residential schools. Recommendations have been made to the medical services department that such and such conditions should be changed to a certain extent and that the medical conduct of certain residential schools has been condemned; but apparently you do not have the power to enforce your condemnation?—A. That is correct.

Q. How can we change that? Certainly that is an important matter. If the recommendations of the medical services in the residential schools are disobeyed some authority should rest with the department to see that those recommendations are obeyed.—A. At the present time we are powerless to enforce the recommendations.

Q. Now, you mentioned something about the government proposing to build hospitals; how would that be operated?—A. I recommend that they be operated by the department.

Q. I agree. Now, where would the nurses come from?—A. They are appointed. Our nurses in the Indian health service are exempt, for the purpose of appointment, from the Civil Service Act, but they can become civil servants once they are appointed. However, it is left to the department to appoint the nurses. We have recommended that procedure because it makes it much easier for us to secure nurses. We can deal with them directly rather than deal through the Civil Service Commission.

Q. How is the hospital at Ohsweken operated?—A. By the department. We employ the doctor but his salary is paid from the band funds—Dr. Davis, the superintendent. The second doctor, Dr. McCormick, is paid by the department, and all the staff is appointed by the department, and all the operating costs of the hospital are paid by the department.

Q. You mentioned the setting up of a general hospital at Moosonee, James Bay. Would it be at Moosonee or Moose Factory?—A. The decision has not been made. I made a definite recommendation that it be built at Moose Factory due to the fact that this Indian reserve is on the island and the majority of the Indians live on the island.

Q. Yes, they are all around there. You also said something about Fort Norman; that is at the mouth of the Bear river?—A. Yes.

Q. That would be a government operated hospital?—A. There was a mission hospital there which was built by the Anglican Church and partially financed by a grant toward capital construction from the department. This was purchased from the Church of England and was run as a department hospital; but unfortunately in March 1946 it was destroyed by fire. The doctor who was in charge there was transferred to Aklavik and we are using the doctor's residence as a nursing station. We have two nurses, a graduate and a lay nurse there, but the graduate nurse had to go out for medical care, an operation, and we are sending in another nurse.



Q. That hospital would be operated by the government, not by the Church of England?—A. Yes, by the government.

Q. I have nothing against any church, but that is a better arrangement. I am in favour of government operation of hospitals as much as possible. I will make one observation in reference to a reserve I called at—Gull bay on Lake Nipigon. I was taken down there on a boat on a two-day round trip. I went around and examined the sick to see what was wrong with them, and I asked, "How often does the doctor come here?" I was told, "He comes here when the treaty money comes." I asked, "How long does he stay?" I was told that he goes away with the treaty money party. Now, he cannot do anything in that length of time. I presume that condition obtains in 99 out of 100 places in those areas. Now, how is the new service going to get over that condition in looking after the poor Indians? What would you recommend for that?—A. There is one improvement in the specific place you mentioned, Gull Harbour; we have a full time nurse attached now to that agency. The nurse goes there by boat. The Indian Affairs department operate a boat on the lake, and the nurse is taken there by the Indian agent. She boards there at the Hudson's Bay post or with the school-teacher and remains in residence at that reservation for a week or two at a time several times throughout the season.

Q. I am glad to hear that. The school-teacher there is a bright girl; she had the rudiments of some medical knowledge. She is one of the best equipped school-teachers I have met.—A. To carry that matter just a little further. What the nurse there would do is this: if she came across cases requiring a doctor's help those patients would be taken out by boat for hospitalization, and we have sent in doctors by plane on several occasions.

Q. One final question. I have mentioned before the Tobique reservation near Perth in New Brunswick. I called the doctor there on the telephone. I presume he is a part time doctor. He lived across the St. John river from the reservation. I told him about a young man who was afflicted with T.B. of whom the nurses at the hospital had spoken, and he told me nicely and civilly, but in so many words, that he was a medical practitioner and that he had a practice and that he had not had time to attend to that case. Now, how are you going to have part time doctors to do that work—to handle a case like that one at Tobique reservation, where the nurse in the hospital requests him to take care of a young man? How are you going to see that he does it?—A. Well, we have been woefully weak in supervision of our medical services in the past. One of the reasons for recommending that wherever it is at all practicable the appointment of a full time doctor to look after Indians should be made is just to overcome this type of thing. We do get a man appointed—I am not saying this with special reference to this particular doctor or to any particular doctor—but they are appointed on a part time basis and they certainly do give their first call to the rest of their practice and we get their second best.

Now to overcome such an instance as you have mentioned we have recently, since this service has been under the Department of National Health divided the country into eight districts, and we have a regional superintendent, a qualified medical officer, appointed to those districts. Unfortunately, we have not our man installed in the maritime provinces. We are putting one man in charge of the maritimes. It will be his job to go around from reserve to reserve and inspect our medical services, to tell us what is being done or is not being done as regards mapping out ways and means on the spot to provide better medical attention.

Q. That would be an improvement.—A. The man who was appointed for the maritimes unfortunately became ill. He was an excellent man. The position regional superintendents have all been appointed and are on the job at present. is now in the process of being filled by the Civil Service Commission. Our western This is a very forward step in our service.

Q. Mr. Chairman, I wish to thank the committee for the courtesy extended to me. There are many other questions but I will ask them later.

*By Mr. Matthews:*

Q. I was very much interested in the doctor's presentation. He made a remark that the ultimate aim of those studies should be absorption or assimilation. There was no definite aim set forth when the committee was formed, but I think that you agree that that should be the aim eventually. I should like to hear a little more about this matter when we have the opportunity. I should like to hear a little more about the process of assimilation and particularly in regard to that tribe, the Wyandottes. I have not heard of them before. I was glad to hear your references to the Indian agents. Some of them, no doubt, have been very good men, judging from what we can learn, and I think there was a lot of petty criticism expressed with regard to some Indian agents whom we believe are good men and are doing a good job. Now, I was interested with regard to the Indians on one reserve—I forget the name of the band—at Fairford. There is no doubt that that is a pretty hard case. It appears that they have no farm land that is any good—or it is of little use—being mostly rocky and covered with muskeg. I think that is what you said. Are you of the opinion that any worthwhile number of the Indians would take up farming if they had suitable land?—A. I think you would have to start with the younger generation. I do not believe that you will make farmers out of the older Indians.

Q. That is the condition as far as the farms are concerned; and they have no timber to fall back on?—A. It is pretty well depleted. It never was good for lumber; it was more cordwood; but even that is becoming depleted.

Q. Now, there is trapping and fishing; and going out as labourers, which seems to be the only work they have?—A. The fishing is now practically all in the hands of the big fishing companies and the Indians only get an opportunity to work as labourers for the big fishing companies. The Indian has not the means to engage in fishing on his own or of selling his fish.

Q. Are there any facilities for fishing on the reservation?—A. No.

Q. And I suppose the same thing would apply largely to trapping?—A. They have to go outside of the reserve and then they are in competition with the white men on the trap-lines.

Q. They are pretty well restricted. Now, this thought occurred to me and I was wondering what your idea would be about it: it would seem that that reserve is of very little physical value—almost valueless; so would it be practicable to get other land in some other locality, land that would lend itself to the needs of the Indians, and would they be willing to accept a transfer if that could be done? Would they be willing to go away from that place to another?—A. It is hard to get an Indian to tear up his roots, but it seems to me there are areas where that is about the only solution for some of these people with the natural increase of the tribes. At the time when the reserves were set up the Indian was permitted to roam wherever he liked; but with the restrictions now encircling him it seems that the only solution is to try to get more land.

Q. It would seem to me that we would have to get land that would be of some value to them. There is no use buying them a lot of rock and setting them up upon it. Now, I want to express my commendation with regard to your idea of granting open permits. I do think that the well-to-do Indian, the man who shows some evidence of being progressive, should be given more authority than he has, and I believe that additional authority will help him a great deal. I also believe that the granting of an open permit to an industrious Indian would stimulate his thinking and would serve as an incentive to others who are not so progressive.—A. I have seen that work.



Mr. MATTHEWS: That is all, Mr. Chairman.

*By Mr. Case:*

Q. I would certainly like to join with Mr. MacNicol and Mr. Matthews in complimenting Dr. Moore on his presentation. It was a very fine presentation. I believe it was probably one of the most constructive and helpful presentations I have listened to. I am going to ask some questions but I am not going to expect answers to all of them if the doctor feels that he should not answer them at the moment. I have one or two observations to make as to particular reserves, but the broad question which is going to weigh heavily with me as a member of the educational sub-committee is this: Do you think the time has come when the schools and hospitals should be progressively taken over and administered by the Department of Indian Affairs or the Health and Welfare branch, as indicated?—A. Well, I have no hesitation in recommending that any future hospitals be built and administered by the department. With regard to existing hospitals, I do not think the department is in a very good position to interfere with present arrangements. I think that where a particular mission has constructed a hospital and has put a lot of its own money into it, that the only change should be made on a voluntary basis—for instance, in a place like Aklavik, if we could make an agreement with both churches to purchase both hospitals and to operate them as departmental hospitals—I think that would be a forward step.

Q. I assume that there would have to be proper compensation and consideration given and that this could not be done over night, and that is why I use the word “progressively”. But I think you will agree that there should be greater departmental administration even in the mission hospitals?—A. Yes.

Q. That cooperation should be sought?—A. There is ample reason for saying that.

Q. You have said that our object should be assimilation. Down in the maritime provinces we visited two reserves, one at Shubenacadie and another at Eskasoni where there is an effort being made to centralize those Indians into what we would regard more or less as the hinterland. The authorities are taking them away from the white settlement and the industrial centres, so to speak, near Truro, Fredericton, and Sydney. How do you reconcile that move there with your thought at the present time?—A. Mr. Chairman, I am on record fairly strongly on that matter in other quarters. I opposed it at the time with any voice I had in administration. I still do not think it was the best move for our ultimate aim. It certainly will solve a lot of very serious problems that have confronted the administration, but I think in view of the ultimate aim of the department it was, to my mind, a step in the wrong direction. I did not agree with it when it was done. I do think however, it gives us a better opportunity to give this complete and adequate medical service, which we will do.

Q. I see that advantage. Would you go so far as to say that if the movement is encouraged it should be on a voluntary basis? When the Indian feels he can still fend for himself, he should be encouraged to do so?—A. Yes, that should be the keynote of the administration.

Q. I am coming to Tobique. My recollection of that hospital was that there was a limited amount of bed accommodation on the ground floor; that the nursing sisters occupied the second floor; but it did seem to me that if there was a proper nurses' residence established there would be much more bed space available at that particular point, because the hospital was well kept and very attractive, but it did seem to lack bed space. The point I wanted to ask you about was this: What does the present system comprise?—A. Well, at Tobique—

Q. I am speaking now of the hospital.—A. The hospital should not be called a hospital in the strict sense of the word; it is a nursing station. It is one of



those affairs that has its roots almost in antiquity. It was set up as a residence for teachers in the school with a limited capacity for nurses, and actually while it is departmentally owned the agreement with the sisters who operate it is this, that we buy the hospital supplies and we pay the salary of one nurse and then we pay them a daily rate for patients that they take in and they provide the funds for the food that is used in the institution and so on. Actually the people in there are not boarding at the expense of the department. The teachers from the school are there and we have no control over the staff whatever. We do pay the salary of one nurse and then we pay so much a day for the patients in there. I worked out the actual cost to the department and for two years. Our patient days came to 1,640. That would be about three patients a day on the average—a little over two patients a day—and it cost us \$3.83 to maintain those patients there per day.

Q. Can you give me a comparison of their per diem cost?—A. If this were a hospital where they were doing hospital work with a doctor in attendance or who visited the homes, that would be different, but there is no surgery done. There is just bed care with probably advice from the doctor over the telephone, and at most places we pay up to \$2 a day for that type of service.

Q. You have some plans for Tobique?—A. Yes, it will have to be worked out in conjunction with the schools branch if we build a teacherage. If we build it for that and take it over wholly as a hospital we would try to put it on a better basis as a hospital.

Q. Where do the Indians from the Devon reserve obtain hospitalization?—A. They go into the Fredericton General Hospital.

The CHAIRMAN: Does \$3.83 cover everything?

The WITNESS: No, there is extra for supplying drugs which go to the hospital and some is used by the nurse on the reserve. The nurse does go out to the homes.

Mr. MATTHEWS: That is not \$3.83 per patient?

The WITNESS: Per patient day.

The CHAIRMAN: Per patient per day.

The WITNESS: The total cost for the 1,640 days' hospitalization was \$6,294.10, plus \$243.71 for drugs.

Mr. MATTHEWS: If there were more than two patients the cost would be approximately smaller?

The WITNESS: Yes, that is a pretty fixed overhead.

Mr. CASE: It is very difficult for me to imagine how they got that many hospital days in that limited space.

The CHAIRMAN: That is for two years.

The WITNESS: Eight hundred and twenty hospital days. A number of these patients would be infants in cribs.

The CHAIRMAN: There would not be very many. There was room for only one, was there not?

Mr. CASE: One. But they regulate that. I do not think I have any more questions to ask the doctor. I wish to thank Dr. Moore for the information he has supplied to us in his presentation.

The CHAIRMAN: Before we move on to the next series of questions, there were several questions put to Dr. Moore last week by various members of the committee. I think Mr. Bryce submitted some questions. Have we a transcript of the evidence?

Mr. REID: I submitted three or four questions and I was told to wait until Dr. Moore came back. I have those questions here now and I shall ask them when my turn comes.

Mr. CASE: I submitted a question about schools and hospitals, but that matter has been covered.

The CHAIRMAN: I believe that those questions should be put now.

Mr. REID: I have quite a number of questions I want to ask, and those two or three questions have to do with the questions I want to ask, and I am going to repeat them.

*By Mr. Reid:*

Q. Doctor, how much do we pay to the various Indian hospitals per day for Indians?—A. In the various Indian Affairs hospitals or in the hospitals where we put Indians and do not operate ourselves?

Q. I am thinking particularly of a mental hospital at the moment.—A. Well, with the departmental hospitals we assume total cost of operation. We pay all the staff and buy everything in connection with the hospital, and those places are audited by the treasury branch to establish the per diem cost. It varies in various institutions. The highest cost we have at present is in this new army hospital we took over in Edmonton where our cost will run—I think the last figure was \$4.08 a day. That pays for the medical staff, the stores, a complete and advanced chest surgery. There is not a finer chest surgery unit in Canada than we are operating, and the surgeon in charge is a recognized thoracic surgeon, a member of the American College of Thoracic Surgery.

Q. How much do you pay to the private hospitals per day for Indians?—A. In these hospitals the doctors' salaries are not usually included, but hospital costs have increased markedly. There was a time when we hospitalized most of our Indians in public wards for about \$2.50 a day. That figure has markedly increased and most hospitals across the country are now asking \$4 for public ward care per day. There are cases where we are paying as high as \$7 per day for public ward care.

Q. I am quite well aware what the hospitals are asking, but what are you paying to various private hospitals? Is there a difference in each province? What would the average be? I want to know what you are paying.—A. We do negotiate rates for every individual hospital; we have no set rate. The hospital makes a request to us for a per diem rate. If they are asking for an increase—which they always are—we ask them to produce figures to substantiate what they claim. The per diem cost is for public ward care, and I must admit that we are often in controversy with some of the institutions. We feel that in arriving at public ward care of patients the hospital should maintain all the special services that they render, and that the Indian will have the benefit. It costs more to operate a private ward than it does a public ward. We have never asked for private wards. That is where our dispute comes with the various hospitals. We have more than 450 hospitals across Canada where Indians are hospitalized, but there is no standard rate. What I am driving at is this—

Q. I want you to come to the point; I do not want you to go round about it. I want a comparison, to know what you actually pay hospitals compared with what it costs in government hospitals. I know that there has been controversy and a demand made by hospitals throughout this country challenging the government and stating it was most unfair to pay only \$3, or much less than a private patient paid. Now, hospital costs have gone up; everybody knows that. That is true both of departmental hospitals and private hospitals. Some will tell you that where the government put an Indian in a private hospital the government should be responsible to take care of him, just as in the case of a white person. They are getting the same care, I understand, and I would like to know what they are paying and how that compares with the cost of a government hospital.—A. We operate our government hospitals cheaper than what we are called upon to pay to outside hospitals. I have not the figures available, but I can get them for all our departmental hospitals.



The CHAIRMAN: Could you get them for this afternoon?

Mr. REID: I think it is important for the committee to have that picture because if it is costing more in private hospitals then it lends argument to the belief that there should be more government hospitals.

The WITNESS: It is a fact, Mr. Chairman, that we operate our government operated departmental hospitals for less than we are called to pay in outside institutions. We can show an economy. I can produce the figures on our costs of hospitals.

*By Mr. Reid:*

Q. My next question is: Did the government contribute in the operations of mission hospitals and if so how much?—A. Practically all the mission hospitals have at one time or another received something in the way of a grant toward the capital cost. This is difficult information to obtain under our present system of accounting because some of these grants were made quite a number of years ago and the closed files have been removed, but while I tried to get information in the last few days they have not been able to get those closed files to go back far enough to give a complete picture as to grants. The institutions are varied all over the country. I have a list of grants that have been made to various institutions at various times.

Q. Could you tell us what the per capita cost amounts to in these mission hospitals as compared to the per capita cost in government hospitals, and what you are contributing to private hospitals? I want to get a complete picture of this.—A. Mr. Chairman, that is a difficult question to answer briefly.

The CHAIRMAN: Would you like to put some time on it.

The WITNESS: I will quote you a few examples amplifying what I mean. We will admit it costs a great deal more to operate a hospital at Chesterfield Inlet or Pangnirtung than it does in the city of Brandon. Formerly, the Eskimo service, before it was under the Department of National Health, supported those two hospitals in various ways. They paid them a per diem cost of \$2.50 per day, and they paid them subsidies in the way of freight, and the salaries of the two nurses, and they also had guaranteed if the revenue of those institutions fell below a fixed sum they were to be paid whether or not they had to perform the service. They themselves quote us their costs and we review the costs of those institutions where missionary societies are operating hospitals and we arrive at a rate. They were paid from April 1, 1946, \$7 a day. In addition to that we are paying the salaries of the doctors but I may also state the facilities offered by those hospitals are very limited and the reports from various medical officers are quite critical.

*By Mr. Reid:*

Q. I am anxious to know from a health point, whether you take a per diem cost in those hospitals of patients because I know, for example, there are some mission hospitals which are attached to schools and settlements and I would like to know how you make the grant to those hospitals? On what basis do you make those and what does it amount to? Let us have these facts so we can make a comparison between the government and the mission hospitals and the private hospitals? After all, we have got to make a finding on this matter, and I cannot make a finding until I have the information. Surely you can tell us how the grant is made to the mission hospitals.—A. I pretty nearly have to take you through a whole description. There is a different arrangement with every institution and that is one of the statements I think I must make. I will pretty nearly have to go back and describe to you each institution.

Q. Can you give us the figures? Can you tell us, in the various provinces, for instance, what does it cost and what assistance are you giving? We cannot



intelligently discuss this unless we have that information.—A. I will prepare that for you because, when I am giving figures, I would like to quote accurate ones. I will get something for you, Mr. Reid, for this afternoon.

The CHAIRMAN: Could you have it for this afternoon or Thursday?

The WITNESS: If I cannot get it for this afternoon I will have it for Thursday.

The CHAIRMAN: Well, gentlemen, the way we are getting along, perhaps we could dispense with this afternoon's meeting and we could discuss this in our proceedings on Thursday.

Mr. CASE: I do not think our questioning is going to be very extensive.

The CHAIRMAN: Could I have an expression of opinion?

Mr. MacNICOL: The morning of Thursday would be all right with me.

The CHAIRMAN: What do you think Mr. Reid?

Mr. REID: It is all right with me.

The CHAIRMAN: We will proceed until 1.00 o'clock and then continue on Thursday.

*By Mr. Reid:*

Q. Well I do wish to have the information later on. Now do you supervise the mission hospitals or what supervision is given? Can you tell the committee how it is done?—How do you check up and how do you find whether patients are treated well or do you just hand out a sum of money and take it for granted that all is well? I would like to know.—A. Our supervision of hospitals has been very lax. Where we have a salaried doctor in attendance we are able to get a much better picture of what is being done but in the mission hospitals we have nothing. So much depends on the staff and the qualifications of the staff as to how patients are fed. We have had bitter complaints registered on the question of attention.

Q. We are just getting the facts now, and we should have had them before.—A. About all we are able to do is to bring these things to the attention of the church authorities. That really is about as far as we can go.

Q. How many men are there in the Department of Health, and I am speaking now about that department because you are connected with it and I will have more to say about it later, but how many doctors and supervisors are there to check up?—A. We have these positions for eight regional superintendents. In my earlier presentation I gave the number of full time doctors that are employed. I do not just recall the specific figure but it will be in the previous minutes. It is somewhere in the neighbourhood of forty to forty-five full time officials.

Q. Where are they, are they spread out all over the country?—A. Yes.

Q. Full time doctors?—A. Yes.

Q. What are their duties in regard to this particular question?—A. For instance, we have full time doctors employed at Aklavik, Pangnirtung and Chesterfield Inlet, who assume the medical care of the patients in those hospitals.

Mr. MacNICOL: Does that apply to both hospitals in Aklavik?

The WITNESS: Yes, both hospitals at Aklavik and one each at the other points. Now, if the doctor does not get along with the mission authorities, he has a rather tough time. It is a difficult and administrative problem.

*By Mr. Reid:*

Q. Can they chase him out, let us have it? We are digging into this and I want to know.—A. I could not say that. I do not know of a specific case where you could say he has been chased out, but I know of places where the doctor has had a pretty uncomfortable time.

Q. I do not mean by chasing out, that they actually took physical measures, but have they made it so uncomfortable that he had to get out?—A. We have had requests for transfers and we have had doctors refuse to go back because they did not like the conditions under which they had to work.

Q. Another question, what check-up is made of the treatment of Indians when they are sick and under the care of private hospitals in the various cities? Now I have heard various complaints of Indians who are treated as nothing on earth, they are charges of the government. Is there any check-up to see that the Indians entering a hospital are well looked after and are receiving medical attention the same as other patients?—A. That is the prime reason we have initiated these medical superintendents. When we get them across the country the answer will be yes. Up to the present time the system of check-up is fairly lax because although a man may be a full time employee he still may be a poor doctor and will not give proper attention to his patients and it is pretty hard to tell that from here in Ottawa. Now when this system of regional superintendents comes into effect we will have them operating and going into these hospitals to check on the kind of treatment our patients are receiving. There are between four hundred and five hundred hospitals where they treat Indians. We have got to have a big organization if we are going to do things you suggest.

Q. Have you had any complaints from Indians?—A. Yes, I had a bitter complaint from some Indians from British Columbia about a hospital that is operated under the joint auspices of the province and the mission. The complaint was that the Indians were compelled to use the back door of the hospital. One of my assistant directors, who has been at this hospital since, has put in a very bitter report on the hospital which I forwarded to the church authorities, serving them notice that we were not going to continue to support that type of institution.

Q. They would be receiving the same amount of money for those Indian patients as they would for white patients?—A. Yes, we are paying a fee which is the same as the fee for an ordinary patient.

Q. It seems to me a great deal remains to be done with respect to hospitalization and health from a departmental point of view?—A. We feel that one of the greatest single advancements that has been made is the system of regional superintendents where men will go around and report to us.

Q. What other help do we give the mission hospitals, apart from grants?—A. In nearly all instances they are supplied with free drugs for their treatment of patients. We ship the drugs from our central medical stores and a certain amount of hospital supplies find their way into those shipments. Then up until the beginning of the fiscal year the department was paying the salary for a number of the nurses. For instance in the two mission hospitals at Aklavik, the department was paying the salary of the two nurses in each hospital there. We have served notice on the institutions that we were discontinuing that payment and that we would just pay a per diem rate for each patient. We have asked them to submit figures to us in order to establish their cost. We do not expect those places which treat Indians should operate at a loss and if they can establish a cost we will meet it.

Q. With regard to the admission of Indian patients to mission hospitals, are Indians admitted freely irrespective of their religious denomination? Do they take all and sundry into the hospitals? Tell us about these mission hospitals? Suppose there is a hospital run by the Church of England and an Indian happens to be a Roman Catholic, would he be taken in? If it was a Roman Catholic hospital would non-Roman Catholic Indians be admitted there?—A. I do not think the hospitals as such, would refuse to take in any Indian patient that required treatment. I have never heard of that but the missionaries themselves exert great pressure upon the Indians to go to one of their own hospitals.

Q. That is important, can you tell us of any cases of Indians who have suffered by that attitude?—A. No, but certain of the church briefs have laid stress on the fact that there should be free choice of hospitals for the Indians. Might I answer your question by saying, with all things equal, the administration would have no objection to an Indian having his own free choice of hospital.



Unfortunately you cannot always have all things equal. I think I can best exemplify what I mean by saying that at point B on the map there is a hospital operated by one of the mission societies; we find that an Indian has tuberculosis of the form that requires a special type of treatment; now the Indian, whether he is influenced by his advisers or not says "I want to go to this mission hospital," or "I do not want to go away to that hospital". I do not think the administration would be justified in spending the taxpayers' money to keep that Indian in the hospital that he wishes or wants to go when, by sending him where he would get adequate treatment, his length of treatment, might be shortened, and consequently our expense, from five years to one year. I think there are many cases where the length of treatment might be substantially cut if the patient was sent where he could get adequate treatment.

Q. I notice it is 1.00 o'clock but could one say the treatment in hospitals is entirely different to the manner in which education is handled in the school. In the schools, those of one faith go to one school and those of another faith go to another school. As far as the hospitals are concerned are they open to all Indians?—A. Yes, there is no directive or established policy whatever, although there is often strong objection raised, particularly by the missionaries and some of the church authorities, where Indians of one faith are treated in a hospital of another faith and our files show many instances of charges by one church of proselitization. It has not been confined to one church, but there are various churches which have objected because an Indian of one faith has been treated in a hospital of another faith and has changed his religion.

Mr. CASE: It is a matter of dual administration.

The WITNESS: Yes. We do not want to be arbitrary in the matter, and we are trying to do a health job.

Mr. HARKNESS: The essential difference is that there is provision under the Act that a child must be educated in the school of his faith but there is no such provision with regard to hospitalization.

Mr. REID: I would like to have an opportunity of asking further questions and I would ask the indulgence of the committee. When we meet at 4.00 o'clock I would ask that I be allowed to continue my questioning.

The CHAIRMAN: Well, we are going to meet on Thursday at 11.00 o'clock, Mr. Reid, and you will be permitted to continue your questioning then if it is agreeable to the committee.

The meeting adjourned at 1.05 p.m. to meet again on Thursday next, June 19, 1947 at 11.00 a.m.





















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SESSION 1947



(SPECIAL JOINT COMMITTEE OF THE SENATE  
AND THE HOUSE OF COMMONS

APPOINTED TO CONTINUE AND COMPLETE THE  
EXAMINATION AND CONSIDERATION OF THE

INDIAN ACT)

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MINUTES OF PROCEEDINGS AND EVIDENCE

No. 36

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THURSDAY, JUNE 19, 1947

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WITNESS:

Mr. P. E. Moore, M.D., D.P.H., Director, Indian Health Services, Ottawa.

OTTAWA  
EDMOND CLOUTIER, C.M.G., B.A., L.P.R.,  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
CONTROLLER OF STATIONERY  
1947







## MINUTES OF PROCEEDINGS

HOUSE OF COMMONS,  
THURSDAY, 19th June, 1947.

The Special Joint Committee of the Senate and the House of Commons appointed to continue and complete the examination and consideration of the Indian Act (Chapter 98, R.S.C., 1927), and all such other matters as have been referred to the said Committee, met this day at 11 o'clock a.m.

*Presiding:* The Honourable Senator Taylor and Mr. D. F. Brown, M.P., Joint Chairmen.

*Present:*

*The Senate:* The Honourable Senators Fallis, Johnston, Macdonald (*Cardigan*), McKeem and Taylor—5.

*House of Commons:* The Honourable Mr. Stirling and Messrs. Brown, Blackmore, Bryce, Castleden, Farquhar, Gibson (*Comox-Alberni*), Little, Matthews (*Brandon*) (Vice Chairman), MacLean, Raymond (*Wright*), Reid, Richard (*Gloucester*)—14.

*In attendance:* (From Indian Affairs Branch): Messrs. R. A. Hoey, Director; Hugh Conn, Supervisor, Fur Developments; B. F. Neary, M.B.E., Superintendent, Welfare and Training; G. Armstrong, Welfare; (From Superdepartment of National Health and Welfare): Doctors Moore, Falconer, Proctor and Leroux; also, Mr. Norman E. Lickers, Barrister, Counsel for the Committee and Liaison Officer.

Mr. Reid brought to the attention of the Committee certain publicity which has been appearing in the *Vancouver Daily Province News Herald* and the *Kelowna Courier*, with regard to the administration of Indian Affairs in British Columbia.

Messrs. Hoey and Neary made statements in connection therewith.

Dr. P. E. Moore, Indian Medical Services, Department of National Health and Welfare made a statement with regard to an article in the *Kelowna Courier*.

On motion of Mr. Matthews, it was

Agreed: That a marked copy of the minutes of this day's minutes be sent to the Editor of the *Kelowna Courier*, with a letter asking that the same publicity be given to the statement of Dr. Moore as was given by that paper to statement by Dr. Wilson, of Kelowna, B.C.

P. E. Moore, M.D., D.P.H., Indian Medical Services, recalled, and was questioned.

The Committee adjourned at 1 o'clock p.m., to meet again on Friday next, 20th June, at 11 o'clock a.m.

T. L. McEVOY,  
*Clerk of the Joint Committee.*



## MINUTES OF EVIDENCE

HOUSE OF COMMONS,  
June 19, 1947.

The Special Joint Committee of the Senate and the House of Commons appointed to examine and consider the Indian Act met this day at 11.00 a.m. Hon. W. H. Taylor (Joint Chairman) presided at the opening.

The CHAIRMAN: Gentlemen, if you will come to order; we have a quorum. We have before us this morning Dr. P. E. Moore of the Health and Welfare department who was before the committee when we adjourned on Tuesday last. Is it agreeable to the committee that he proceed with the answering of questions?

Some Hon. MEMBERS: Agreed.

Mr. REID: Mr. Chairman, you will recall that Dr. Moore having completed his presentation it is now a matter of asking questions by the committee; and you will also recall that I laid before him a half a dozen questions on which I expected to receive answers this morning.

The CHAIRMAN: I recall now. It was agreed that you would continue this morning.

### Mr. D. E. Brown, Joint Chairman, (assumed the Chair).

Mr. REID: And I think that there was an understanding given that because of the urgency of a matter which has cropped up in British Columbia the committee agreed that this matter would be dealt with to-day, and that we would have an opportunity of hearing from Mr. Hoey on the matter before we proceed with our questioning of Dr. Moore. The reason I am bringing this up is because of the newspaper publicity which has been given to the matter; in my opinion it should be dealt with for the protection of the Indians and the committee and so that a true record and complete statement of the matter may be before the public. I think as complete a statement as is now possible should be made by Mr. Hoey, and that the committee should have a statement from Mr. Hoey as to what actually happened regarding the statements made by the school teacher. What I want to ask Mr. Hoey is this; and I might explain that the school teacher was brought out, or came out from England one year ago and he was given a school in the Department of Indian Affairs. Now he has had some trouble with the department and he has made certain statements in the press; he has gone I believe so far as ordering Indian agents off the reserve; and he has made the further statement to the paper that he had enough information, to use the words of the street, to "blow the lid off." I think it is time we had a statement on it because the newspapers set reporters out to look into the matter. And it will be remembered that the matter was mentioned by me previously; I said that I had taken it upon myself at my own expense to go and visit the entire district and I met one hundred Indians comprising thirteen tribes and from my contacts with them had gathered that they did not have any such complaints, at least none were placed before me. May I ask Mr. Hoey if any course has been adopted to place before this committee a true and complete statement of the facts along with the publicity which has appeared in the papers?



Mr. HOEY: Mr. Chairman and gentlemen; this matter was first brought to my attention about four or five days ago when I received from the office of the minister a number of newspaper clippings, the majority of them I think from the Vancouver Province. Conditions at Chilliwack, or on the chief Skwah reserve had not been brought to our attention, and I immediately wired Commissioner MacKay of British Columbia for a report. That report come in this morning. I was over at the Civil Service Commission and I had not had time to read it so I do not know what the explanation of the commissioner is; but I am going to ask Colonel Neary, Superintendent of Welfare and Training, to read it to you in a moment. I would just like to say to the members of this committee that Commissioner MacKay was before you on more than one occasion. I have unshakeable faith in him as a man of high standing and character and a man of sound judgment; and it is simply inconceivable to me that conditions half as bad as they are described in the Vancouver Province could exist 40 miles from Commissioner MacKay's office. However, I am now going to ask Colonel Neary to read the report which I have not had time even to open.

**Mr. B. F. Neary, M.B.E., Superintendent, Welfare and Training Division, Indian Affairs branch, Department of Mines and Resources, called:**

The WITNESS: Mr. Fellowes was hired by the department, effective the first of December, 1946. He was recommended by Archbishop Duke. As Mr. Reid knows only too well this is a Roman Catholic reserve and in accordance with a section of the present Indian Act we are required to employ Roman Catholic teachers. He was also recommended for the position by Commissioner MacKay. We received the usual application form from him in which he stated that he had attended Jesus College, Oxford university, England, and had worked there towards his law degree, and then he has attended extra-murally for about 3 years the University of London where he hid general work towards a degree in social science, specializing in child welfare work. He also stated that he had been employed as an associate child welfare officer by the Civil Defence of the city of London during the war, and that previous to that he had run a school with his wife for special children; I presume by that he meant subnormal children. Therefore, as far as we were concerned he was well qualified even though he did not hold a teacher's certificate granted by one of the provinces of Canada, and he began his service.

Mr. BRYCE: What was his age?

The WITNESS: Fifty-two, I believe.

Mr. REID: When did he come to Canada?

The WITNESS: I have no record of that, but I believe he came just before he accepted the position. We are now digging further into his record through the Department of External Affairs.

Now, Mr. Chairman, I would like what I have to say next to be off the record.

The CHAIRMAN: Is that agreeable to the Committee, that this statement should be made off the record?

Some Hon. MEMBERS: Agreed.

The CHAIRMAN: All right.

(Mr. Neary's statement continued off the record.)

The CHAIRMAN: Now, gentlemen, to resume the record; there were certain statements that have been made by this teacher to the press; were those the same statements he made to the department when he accepted the position, Colonel Neary?

The WITNESS: In answering that question I would like to quote from Commissioner MacKay's letter to our department, of June 14, which reads as follows:—

Mr Fellowes admitted that he had been granted no teaching certificate and the British Board of Education had given him only a permit to operate a private school, probably on the strength of his wife's teaching qualifications. He advised Archbishop Duke that he had taught 18 years in England, his application of November 22, 1946, showing 10 years. He gave out to the press and told the inspector that he held an L.L.B. and M.A. (Oxon), where he was a resident student of Jesus College 1931-32, and that he secured his B.Sc. (London) after taking social science there in 1938-41, both of which periods were included in that of the operation of a private school and associate child welfare officer. I am confident that the man has no academic standing of importance. Inspector Davey's report on the school would appear to support this conclusion.

In other words, Commissioner MacKay points out that during the time he said he was attending these universities he also stated that he was employed running a school.

Mr. RICHARD: That could be, couldn't it?

The WITNESS: Quite right, that is why I am checking that anyway. Now I will read a paragraph from the report made by Mr. Davey, inspector of schools:—

The work of this teacher shows lack of professional training. His methods of teaching reading and languages are particularly weak. Grades 2 to 4 inclusive are attempting to read work far too difficult for them and should be given material of a difficulty a grade below their present classification. The work of the class in arithmetic is satisfactory. The Grade 2 pupils have not started cursive writing and should be started on this immediately.

Another extract I want to read is this:

Mr. CASTLEDEN: Could we not have the whole thing?

The WITNESS: Yes. I am quite prepared to place the whole thing on the record. What I want particularly brought to your attention now and put on the record is this:—

Mr. Fellowes is inclined to act without first being sure that his information is correct. He informs me that he has solicited the aid from some group in the town of Chilliwack to assist in paying the tuition fees for one of his pupils who expects to enter the Junior-Senior High School. This has apparently given the impression in the locality that the department is not willing to assist Indian pupils to receive a secondary education. Mr. Fellowes has now been correctly informed on this matter.

The first report of the Vancouver Daily *Province* with which I wish to deal is the one headed:—

## VETERAN'S FAMILY FORCED TO LIVE ON CHILD GRANTS

### INDIANS UNABLE TO OBTAIN "LAND AND BENEFITS"

The CHAIRMAN: And that is from the Vancouver *Province* of June 7, 1947.

The WITNESS: I should like to read the first part of this to give members of the committee other than the British Columbia members an idea of the statements that were made in the newspaper concerning this veteran's family:—

Gordon James is a strong, hard-working Indian who served three years overseas in the Canadian Armoured Corps. At present he is camping alone on an Indian reserve near Rosedale in the Fraser valley, clearing land for the day he can establish a home for his pretty wife, Martha, and their six children.

Conditions in the plain wooden cottage on Chilliwack reserve where the James family now lives are far from good. Each week-end Gordon comes home to see his family and asks if his "awaiting-returns" cheques from D.V.A. have finally come through. For, ever since Gordon James' war service gratuities were spent in June, 1946, the family has had no income other than the children's family allowance cheque—about \$33 a month.

Gordon James is an example of the sort of neglect that seems to be common among Indians. The sadly understaffed Department of Indian Affairs hadn't arranged for this veteran's awaiting returns benefits (provided under the Veterans' Land Act) to come through in almost a year.

And the next heading is:

"CANADIAN LEGION LODGES PROTEST"

And it goes on:

Last week the James case was being investigated by D.V.A. after protests from the Chilliwack branch of the Canadian Legion. And meanwhile, the three oldest children are picking berries across the border.

My children are working in Linden, Wash., to earn money to help us out and to buy clothes, as they have no clothes at all declared Mrs. Martha James, in a signed statement witnessed by Rev. Father Edward J. Clark and by George W. Fellowes, schoolmaster on the Chilliwack reserve.

It was Mr. Fellowes, a social worker with three university degrees, who notified the Vancouver Daily *Province* of the conditions under which the Chilliwack Indians were living. He sent his resignation to the Department of Indian Affairs, charging the department with lack of co-operation and indifference and stating malnutrition was rife on his reserve.

We have never received a resignation from Mr. Fellowes, either directly or indirectly. Now dealing frankly with the James case, I have phoned the Department of Veterans Affairs and checked with their supervisor of awaiting-returns benefits. I did this for the reason that we have no say whatsoever in the granting of awaiting-returns benefits. That is handled by the Department of Veterans Affairs. Usually they check with the Indian agent. This veteran I found had received \$871 in awaiting-returns benefits.

Mr. CASTLEDEN: As of what date?

The WITNESS: As of August, 1946; that is a year ago. As you know, Mr. Castleden, the veteran is entitled to twelve payments of a maximum of \$100 each, providing he makes a statement each month showing the reason why he is entitled to such returns. He received eight payments of \$100 each, and one payment of \$71; presumably it was a part of the month in which he made his first statement. They had received no further statement from him and that is the reason why awaiting-returns benefits were stopped. This report from which I will next read is that of the inspector of Indian agencies, Mr. Coleman, who works with Major MacKay in Vancouver. It is dated June 16, 1947, and it specifically deals with the various cases that the newspaper articles handled. The first extract from the report deals with the actual newspaper account. It really reiterates what is in here so I need not again read it. The second extract is one referring to the Vancouver Daily *Province* story of June 7, 1947, just read.



Mr. MATTHEWS: Who is this that is talking?

The WITNESS: This is Inspector Coleman who visited the reserve at our request to investigate the reports made by the Vancouver *Province* and the *News Herald* and he states:—

The facts of this case, as related to me by Mrs. Gordon James, are that while her husband was overseas she saved \$1,100 from her dependents allowances, investing it in Victory Bonds, and shortly after her husband's return he took these savings, purchased an automobile, picked up a woman in Vancouver and went on a drunken holiday, finally wrecking the car and returning to his family. These escapades and neglect of his family forced the Indian Agent to request discontinuance of the D.V.A.'s "awaiting returns allowances," of which he had been paid three monthly amounts of \$100.00.

And then we have the statement from D.V.A. that they paid up to \$871.

The payments were later resumed for three months but administered through the Indian Agent to ensure proper provision for the family.

In other words the agent had the payments stopped and had them started again but in the second instance he administered them for this particular Indian veteran.

While this man has drawn six months allowances, amounting to \$600.00, his clearing operations apparently consist of only slashing about three acres of timber, some of which he has sold. An application is now before the Department for the purchase of a team, which he has in possession, under his Veterans Land Act grant.

To leave Inspector Coleman's report for a moment I would say that we have had the application from this veteran for the usual \$2,320. It was passed about a year ago and he has spent about \$600 in the purchase of household equipment and a team of horses and other items which he requires on his farm. The main item out of the \$2,320 is the purchase of building materials and it is that item that has not yet been spent. Continuing with the report of Inspector Coleman:

The house in which the family resides is of frame construction, as are nearly all buildings in the Province. It had been fairly well constructed but in need of minor repairs. It was painted outside and reasonably clean inside, but contained only the barest essentials in furnishings, which is typical of Indian homes in the interior of the Province. There was a good sized lot around the house with fruit trees, but very neglected and overgrown with no garden. He also had other property on this particular reserve and it is hard to understand why he would put in work in uncleared land six miles away and not, at least, establish a garden on the Reserve where he would have the assistance of his family. Plenty of work has been available in the district and there is absolutely no necessity for any inferior standard of living in this family or the children having to work in the berry fields of the United States.

Now that deals with the Gordon James case.

Mr. CASTLEDEN: Does this report regarding Mr. James come from Mr. Fellowes or is this a different case entirely? I just do not get the link-up.

The WITNESS: To answer Mr. Castleden's question; Fellowes enters into the case because he notified the Vancouver *Province* of the conditions under which these Indians were living and apparently a newspaper reporter went down there to get a statement.

Mr. CASTLEDEN: From Mrs. James?

The WITNESS: No, but Fellowes signed the statement about "My children are working in Linden, Washington, to earn money to help us out and to buy clothes, as they have no clothes at all," declared Mrs. Martha James, in a signed statement witnessed by Rev. Father Edward J. Clark and by George W. Fellowes".

Mr. REID: Did Mr. Fellowes go out to secure that signed statement?

The WITNESS: That is something on which I have no information, unfortunately, Mr. Reid.

The next story is from the *News Herald* of June 12, 1947, headlined as follows:—

### AUTHOR TO LIFT LID ON INDIAN RESERVES

U. S. MAGAZINE TO BARE STORY OF "DEPLORABLE" CONDITIONS

Mr. REID: That bears out what I said about the seriousness of the matter and the duty of this committee. They are going to publish these things across the line.

The WITNESS:

Chilliwack.—George Fellowes, \$125-a-month school teacher whose revelations of "deplorable" conditions on the Chilliwack Indian reserve, seem likely to lead to a Dominion-wide campaign, has been offered \$7,500 for a series of articles on Indian reserves.

The offer, he said Wednesday, has been made by an American news magazine and newsreel company. He has also been notified that Universal Pictures wants to visit him with a view to filming the conditions.

"I cannot, of course, keep a cent of the money," said Mr. Fellowes "It will all go to help the Indians."

Mr. Fellowes also revealed that he has been invited to Vancouver to meet the executive head of the Red Cross and that a Dominion-wide Red Cross campaign on behalf of the Indians is envisaged.

### "BOMBHELLS COMING"

Later, he will undertake a tour of B.C. reserves, although there may be legal difficulties in the way.

The greying, bespectacled teacher decided to bring the conditions of impossible to educate the children properly when so many of them left Indians to the notice of the public, he said Wednesday, because he found it school at an early age to work.

Mr. REID: How long did you say he had been in Canada.

The WITNESS: He started to work for us in December, 1946.

I have other bombshells in store he said.

For instance, I am investigating how a certain Indian agent was able to buy an \$18,000 house, and the transfer of a sum of money from an Indian for land purchase of which there is no written record.

Mr. REID: That looks like definite accusation against some official.

The WITNESS: The next heading is:—

### "NOT AFTER PUBLICITY"

I am not after publicity for myself or money.

It is the Indian children of whom I am thinking chiefly.

Although Mr. Fellowes has been on the reserve only one year, coming here from Middlesex Priory, a school for mentally deficient in Harrow,

England, he is of Canadian parentage and is married to an American girl. He went to England 15 years ago and wears ribbons of the First World War.

"CONDITIONS WIDESPREAD"

Author of three books: "Chicago Child," "London Child" and "Insurance Collectors," he specializes in child psychology.

In spite of the fact that I have sent in my resignation as teacher, I am quite prepared to continue my work if the conditions which I have censured are remedied.

He said that the Roman Catholic Church wishes to recruit in England teachers like himself, interested in Indian children and welfare problems.

A personal representative of Cardinal McGuigan, former newspaperman Frank Bell, recently visited at the Chilliwack reserve in the course of an investigation of B.C. reserves sponsored by the Cardinal. Mr. Fellowes admits that conditions at Chilliwack are no worse than on other reserves. The chief points he advocates are old age pensions for aged Indians, mothers' allowances and better housing conditions.

The second item concerning "Further Bombshells" that he intends to throw and so on, is dealt with by Inspector Coleman, and this part more or less repeats the facts I have already revealed with respect to the variance between what he has claimed to us as his educational background and what he has given to the newspapers as his educational background. It is somewhat of a repetition but it deals with the overlapping of the years.

The CHAIRMAN: Do you want it written in our records?

The WITNESS: I can read it out, it will not take very long.

The press reports were considerably enhanced by Mr. Fellowes' claim to high academic standing, which stated that he "has enough academic background to be a university professor. He has a B.Sc. degree in social science from London University; an LL.B. and an M.A. from Oxford." In view of the great importance of such degrees to a teacher it is noteworthy that no mention of them was made in his formal application for the position, which shows that he secured Junior Matriculation at St. Joseph's R.C. School, Toronto, which he attended 1912-14. He claimed "senior matriculation and Catholic Teachers Course for special schools" in 1930 at Brompton Oratory, London, England, but stated that he had taken no senior matriculation in England and its universities had accepted his Canadian Junior Matriculation for his admission. His application shows that he took part time law studies at Jesus College, Oxford University 1931-32 and in the same form "from 1932 to 1940 conducted with my wife a special school for retarded and backward children." He assured me that he was a resident student at Oxford. His private school period 1932-40 also includes part of the 1938-41 period taking his B.Sc. degree by the London University, the balance overlapping into the period following the loss of his private school in 1940 until 1945, when he states he "acted as Assoc. Child Welfare Officer, Civil Defence." His form shows ten years teaching experience, which is not borne out by his own statements or any other evidence. He insisted that he had the degrees referred to and that he wrote part of his B.Sc. in German. I feel that these degrees should be verified.

The CHAIRMAN: I have just been informed that Brompton Oratory is not a school, it is a church.

The WITNESS: That is right, I know. However, I am not sure enough to make the statement here before this committee and that is why I have asked that this evidence be checked through External Affairs.



The press reports claim that he "promptly raised the school's standard from Grade 4 to Grade 8, taught history and geography for the first time, instituted hot meals at noon, doubled its attendance and instituted the B.C. Department of Education Course of Study."

He informed me, when seeking clarification of the Grade 4 to Grade 8 report, that he succeeded in bringing several Indian children from Grade 4 standing to that of Grade 8, but that these children were now all in the U.S.A. I don't think that such a claim warrants any comment, particularly in view of the fact that he did not commence teaching at the school until January last.

He stated that the children's education had been badly neglected by his predecessors, including Miss K. Finan, whom he succeeded. This teacher has taught for us in several schools, has professional standing and is held in the highest regard, not only by this Department, but the residents of Chilliwack and it was unfortunate that indifferent health forced her to accept a position at the Kamloops Indian Residential School, who also value her services very highly.

So far as his doubling school attendance is concerned, Miss Finan's last quarterly report showed an average attendance of 23.6 and that of Mr. Fellowes for the first quarter of 28.01.

Hot meals have been served the pupils of this school long before Mr. Fellowes took over and the Provincial Course of Study has been the standard for at least fifteen years, a number being purchased and distributed to the schools annually.

Mr. REID: That, then, was a misrepresentation about the hot meals.

The WITNESS: Yes.

He said that the reason for the migration of the Indians to the berry fields was to clear up their indebtedness in the local stores and that on the recent visit of Frank Bell, a reporter, stated by him to be Cardinal McGuigan's representative, they had both made a store to store canvass in Chilliwack securing from them a statement of indebtedness of their Indian customers. I informed him that I considered this an act of colossal impudence and that we would not tolerate such wholesale interference in the private affairs of an Indian. He countered by stating that he was an Indian Welfare worker and I informed him that he was employed as a Day School teacher for the Reserve and must act under the direction of the Indian Agent, referring such non-educational matters to him, a course that he was not prepared to follow giving as a reason that his demands were not met, informing us that he was having blankets shipped in for all the Indians from some outside organization. Being told that he could always get them for necessitous cases he claimed that he had asked for some recently without success. That he had made such a request was immediately denied by the Agent and nurse who were present.

Dr. Henderson, who is medical officer in Chilliwack, complained that the man persisted in issuing drugs to the Indians in quantity after he had instructed him not to do so, and requested the Agent to remove the remainder from the school.

Mr. REID: What kind of drugs would that be?

The WITNESS: Usually it is cough medicines and cold tablets. I would not like to vouch for what drugs actually were in the school. They are usually of a very minor nature.

The CHAIRMAN: Nothing dangerous.

The WITNESS: No.

He said that he was close enough to the village, about a mile and a half, to attend promptly to their medical requirements and would not tolerate this interference with his work.

Fellowes stated that the Indian Commissioner, when he visited the school with Major Davey, the Inspector of Schools, instructed him not to teach religion. Having been previously informed by the Inspector that no such statement was made by the Commissioner, and being aware of Departmental policy on the subject and the instructions printed on the school register setting aside twenty-five minutes a day for such instruction, I told him that he was wrong in making such a statement. This resulted in an exhibition of temper, claiming that he was being intimidated, that I was "just another Major MacKay" and that he "would get me with the rest of them" and ordered me to leave the Reserve.

The next section I would prefer to read to the committee with the provision that it might be deleted from the record if you so desire. I will leave it up to the committee if you so desire.

The CHAIRMAN: Would it be agreeable to hear this first before we place it on the record?

Agreed.

(Off the record)

*By Mr. Reid:*

Q. I have a general question to ask. Before a teacher is appointed and after his application has reached the department, is his statement regarding his qualifications accepted or do you ask, before the teacher is appointed, that he submit testimonials and records to show and support the claims that he is making as to his educational qualifications?—A. It depends entirely on who recommends the teacher. After all, this man was recommended by both Archbishop Duke and Major MacKay and they both accepted him. When an application is submitted to the department naturally under those circumstances it is not normal to check. If, however, some person makes a straight application we always insist on the inspector's report and verification of qualification.

Q. What is this man's status now? Is he with the department or has he left?—A. He states in all his newspaper accounts that he has submitted his resignation to the department, but we have never received it.

Q. Have inquiries been made regarding the statement that he has submitted it?—A. We have wired Major MacKay requesting complete details as to where his resignation is or was sent.

Q. And do you still pay him, if he has not resigned?—A. I would not say that.

Q. Here is a case where a man is not only making public statements, not only throughout this country but in the United States and who is having articles printed with regard to various conditions after being only a short time in Canada. Is he going to be allowed to occupy his time doing that while he is a teacher for the Indian Affairs Branch?—A. I doubt that very much, but at the present time I have not the information from Major MacKay to enable me to give you the answer to that question.

Q. Is it true that he chased or endeavoured to chase the Indian agent off the reserve?—A. He endeavoured—

Q. What took place? Did the Indian agent go when he was ordered off the reserve? It is important to know if a teacher on that reserve can order the Indian agent off the reserve for carrying out his duties, and particularly if the Indian agent complies with the request, when the Indian agent is the supervisor both of the reserve and the school.—A. In that regard, unfortunately,

I have not a letter here which I thought I had, but I can give you the information that he did order Inspector Coleman off the reserve. That statement was made by Major MacKay in a recent letter which I have not with me.

*By Mr. Richard:*

Q. Is that man still employed as a teacher?—A. We are waiting, as I say, for Major MacKay to verify a telegram which we have sent to him before I can answer that question.

Q. Is he on the pay-roll?

Hon. Mr. STIRLING: Is he still at this school?

The WITNESS: That is right.

*By Mr. Reid:*

Q. Would you state in the light of the evidence you have given this morning that most if not all of the statements made by Mr. Fellowes are erroneous?—A. I would say that the statement with regard to the named veteran's family, the statement with regard to the school, and the statement about the general welfare conditions are completely erroneous; that a mixture of untruth and half-truth has been concocted to give an entirely wrong picture of the conditions that exist on the Skwah Indian reserve.

Q. Would you go as far as to say that his qualifications, according to his statement, are not good?—A. I would not care to go that far until I receive other information.

*By Hon. Mr. Johnston:*

Q. You would not consider the department has sufficient information to suspend this man, would you?—A. I say quite probably that Mr. Fellowes has been suspended by Major MacKay, as he is the local official in charge. We will be hearing further from Major MacKay as time goes on.

Mr. CASTLEDEN: This man certainly has been reported on adversely. He has been charged with misrepresentation and making false statements and he has been attacked. I do not care how guilty he is, I think he has a right to be heard; and I would like to see us go into this matter completely. I do not think any person should be condemned without a hearing, and if this man has statements to make I think, perhaps, he should be asked to make them before this committee, if necessary, so as to clear this matter up. At any rate, it has come out of the discussion that the department has been hiring on recommendation teachers who are not fully qualified. Following that up, I suggest that perhaps we could get a report from the department as to how many teachers have been employed as teachers in the Department of Indian Affairs who have not proper qualifications. Probably if this kind of thing has happened it may be more common than we suspect. I wonder if we could get some figures in that regard?

The CHAIRMAN: Before we do that, may I say this to the committee, that in the first instance we were not the aggressors and the department was not the aggressor. The matter was brought forward by Mr. Fellowes whilst in the employ of the Department giving statements to certain newspapers.

Mr. CASTLEDEN: That is right.

The CHAIRMAN: We have not laid any charge against Mr. Fellowes. We have not said anything about him. It is he who has charged the government and who has charged the Indian Affairs Branch. Now, there must be an answer.

Mr. CASTLEDEN: I agree to that.

The CHAIRMAN: Now, if Mr. Fellowes wants to go any further in this matter we must be willing to go with him.



Mr. REID: Mr. Chairman, I believe I was perfectly right in bringing this matter to the attention of the Indian department and to this committee—particularly this committee. This committee, of which I am a member, was particularly under some stigma for neglect. This man went to the press and made these statements, and I make no apology for asking for an answer from the officials. Now, the answer is on the record and if Mr. Fellowes wants to do anything further about it we are here.

The CHAIRMAN: It is regrettable—

Mr. REID: We have never attacked him.

The CHAIRMAN: It is regrettable that a man of this type would not wait until at least he had got his feet muddy with the soil of our country before he started making attacks on the department which employs him.

Mr. CASTLEDEN: He was recommended by certain people.

Hon. Mrs. FALLIS: I understood Colonel Neary to say that this appointment was made on two recommendations and that one recommendation was from Major MacKay. Did Major MacKay not check on this man's credentials before recommending him?

The WITNESS: That is something I cannot answer.

Hon. Mrs. FALLIS: It seems to me if he did not that he as an official was very negligent.

The WITNESS: Senator Fallis, if I were to produce for you here, as I certainly wish the committee would let me do, the application form of Mr. Fellowes I think you would agree, in view of the great shortage of teachers that exists across this country and the number of non-qualified teachers who are being hired by the provincial departments of education that there would be no doubt that he would be a satisfactory teacher.

Hon. Mr. FALLIS: It seems to me it would have been a very simple matter, if he claimed to have certain degrees, for Major MacKay to ask to see his certificates.

The WITNESS: That is something I cannot answer. He stated—and this is one thing I believe he is correct in—that he had a permit from the British Board of Education to conduct one of these—I believe they are called special schools in the old country. The name has been changed recently and I believe they are now called approved schools. He stated he had taught at that school for ten years. Apparently that information is correct. As far as we can find out, a man of that teaching experience is a lot better than some of the teachers—(at least on the surface)—that we have in our schools to-day and who are teaching white children in the provincial schools.

The CHAIRMAN: Thank you, Colonel Neary. If that closes the matter we will now proceed to examine Dr. Moore.

**P. E. Moore, M.D., D.P.H., Indian Medical Services, Department of National Health and Welfare, recalled:**

The CHAIRMAN: Now, I believe at our last meeting certain members submitted questions, and I wonder if, for the purpose of facilitating the work of the committee, we could know those who have submitted all their questions and those who still have questions they desire to ask of Dr. Moore? I shall prepare a list now of those who wish to ask further questions of the witness.

Now, shall we commence with Mr. Reid who was questioning Dr. Moore at the termination of our last meeting?

Mr. REID: Does the committee wish answers from Dr. Moore? There were certain answers he was going to give but which required a short time to prepare.

The CHAIRMAN: I believe that Dr. Moore has some other matters he would first like to submit to the committee.

Mr. REID: I asked a number of questions, and he was to give us the answers to-day.

The CHAIRMAN: Dr. Moore is going to make a general statement on another matter as well.

The WITNESS: Mr. Chairman and members of the committee, an honourable member of the committee has brought to my attention a clipping from the Kelowna *Courier* dated June 12, 1947, which is headed:

DOCTOR DECLARES NATIVE INDIANS ARE BECOMING EXTINCT BECAUSE OF T.B.

This news item goes on to state:—

The British Columbia native Indians, as a race, are becoming extinct. Too late, the government has realized the tremendous inroads made on the province's Indian population by tuberculosis. The true B.C. Indian will soon be no more.

Members of the Junior Chamber of Commerce, at their regular monthly dinner meeting at the Royal Anne Hotel last Thursday, sat stunned as Dr. Gordon Wilson, of Kelowna, disclosed how the despoilment of T.B. had doomed the Indians in this province.

Dr. Wilson, taking exception to the "poor treatment" of the Indians as a whole, told the Jaycees that since the turn of the century, 50 per cent of the B.C. Indians had died from the slow death of tuberculosis.

And to further quote Dr. Wilson:

Something is being done now, but it is too late to save the Indian population. He disclosed that 75 per cent of the B.C. Indians have active or inactive tuberculosis.

Now, in commenting on that statement . . .

Mr. REID: Who made it?

The WITNESS: Dr. Gordon Wilson, of Kelowna, B.C., according to this press report. In commenting on this I should like to state that the statements are quite inaccurate. The Indians in Canada have been steadily increasing in number since the turn of the century. Unfortunately, I have not a copy of the 1939 census here, but I recall a figure for the whole of the Indian population which was 118,000-odd whereas the 1944 census, which I have before me, shows a total Indian population now of 125,686. This figure will not record the number of Indians who have become enfranchised during that period, which would be considerable.

Mr. HOEY: About 500 a year.

The WITNESS: About 500 a year. In five years there would be another 2,500 added of an increase. I think that discounts the statement that the Indians as a race are becoming extinct, and we know—and I make this statement—that the British Columbia Indians have as healthy an increase as have the Indians in any other part of the country.

Certainly, a very erroneous conclusion can be drawn from this statement that 75 per cent of the B.C. Indians have active or inactive tuberculosis. To make a fine scientific distinction, I suppose most of us in this room have had tuberculosis. That is, if an allergy test were made of our skin it would show that at some time in our career we have become infected with the tubercle bacillus. I know I have myself, although I have never suffered from tuberculosis. However, I think that would be the case with most of the people in this room. We have done very extensive X-rays of the Indians in British

this room. We have done very extensive X-rays of the Indians in British Columbia. We have been X-rayed in the last four or five years, and I think our average shows about 3 per cent as having the actual disease.

Now, in my statement regarding hospitals you will recall that I said we are at present operating three hospitals exclusively for the treatment of Indians and in which the majority of the beds are used for the treatment of tuberculosis. Three miles from Chilliwack we have 185 beds; we have 200 beds at Nanaimo and 150 beds at Prince Rupert; and we have on our staff some of the outstanding tuberculosis specialists of Canada, and we are conducting a campaign for the eradication of the disease that is second to none anywhere in the province of British Columbia.

Now, we must admit that our rates in the past have been high. Tuberculosis is the leading cause of death among the Indians, but at the same time I think the department is doing practically all that can be done to eradicate this disease.

*By Mr. Castleden:*

Q. Have you made any of the other tests, apart from the skin test? One test, I understand, reveals the extent of the activity of the T.B.—A. No, that is not quite correct. The Mantoux test, the skin test with tuberculin, only reveals whether or not the patient at some time or other has had tubercle bacillus in his body.

Q. And now the result of that test is classified as 1, 2, 3 and 4?—A. No. That classification can be used, it is often used; but it only shows positive and negative classification. The 1, 2, 3, 4 is quite meaningless.

Q. It is just positive or negative?—A. Yes.

Q. Have any of these skin tests been given to any group of Indians, or has that service been used to any extent?—A. Yes. The general practice with the adult population is to X-ray everybody, but when you are dealing with the children the general practice is to skin-test the children as you will find quite a number of children with skin negative and where you have a negative test there is no use X-raying them.

Q. What do these tests show as to the extent of tuberculosis in Canada among the Indians?—A. I have no accurate figures. They vary a great deal. You will find bands that probably have not had a great deal of contact with tuberculosis and their tests would be largely negative, according to the skin test, while another band may have a very high percentage. Really, the ones with the negative skins—this is a very intricate subject, and potential developments through later contact may have a series of major consequences. When they become exposed to this disease it is not at all unlikely that they may very rapidly succumb.

Q. Is that what you are doing at Coqualeetza?—A. No. That is why we recommend the use as soon as possible of what we know as B.C.G. When that is used properly it changes the skin reaction from negative to positive, and that change shows an immunity to the tubercle bacillus.

Q. Is that being used now?—A. Yes, it is being used by Dr. Barclay at Coqualeetza, and by Dr. Galbraith.

Q. Who are the doctors you named?—A. Dr. Barclay at Coqualeetza and Dr. Galbraith at Miller Bay hospital at Prince Rupert. Those are the two who are presently using it in British Columbia; but we will extend it as soon as possible throughout Canada.

THE CHAIRMAN: Now, somebody had a question to ask; it was Mr. Richard, I believe.



*By Mr. Richard:*

Q. Who is this Dr. Wilson, is he in the employ of the department?—A. No, he is not employed by this department. I am not sure whether he is employed by the provincial government or not but I am going to check on that.

Mr. REID: One thing this committee has done has been to create a great deal of interest throughout the country in the Indians. A lot of people that never gave them a thought before, are now thinking about the Indians. To me, I think that is all to the good. I make no apology to any man for that statement.

The CHAIRMAN: I do not think you should. I think you can thank the newspaper gentlemen who have been in attendance here for a lot of that. Their reports have created a great deal of interest in the Indians.

Mr. MATTHEWS: Where is that doctor located, did you say?

The WITNESS: That report is from Kelowna, B.C.

Mr. MATTHEWS: Mr. Chairman, I was going to suggest that a marked copy of Dr. Moore's statement be sent to Dr. Wilson at Kelowna.

The CHAIRMAN: Is that agreeable, gentlemen?

Carried.

The clerk will see that that is done.

Have you anything else that you would like to add by way of a general statement before retiring, Dr. Moore?

The WITNESS: I think that is about all. I will now proceed to answer the questions Mr. Reid left with me the other day. Before giving the specific information I would like to make a general statement on the subject and to repeat what I said before; we deal with some 450 to 500 hospitals across Canada, and there are very many factors which enter into the cost of hospitalization and the rate paid. For instance, a hospital operating in a remote area has high costs, particularly of transportation, of supplies; they cost more to operate, fuel has to be shipped in. Then, too, some hospitals supply very complete service which costs more money. The little hospital in the hinterland which we probably should not call a hospital at all—there is no doctor in attendance—takes in patients and does what it can for them. The larger expenses are pretty generally confined to the personnel and to the food and heating costs, and, compared to modern city hospitals the costs of treatment available is away out of comparison. Therefore, I try to make this point; to use just purely the rates is not an indication of the service or operative costs of the institutions. I collected information which I will put on the record of costs of operating departmental hospitals; that is, those which are fully owned, staffed and operated by this service. And, as I read them off there are certain explanations which it is necessary to make; otherwise you will certainly question the wide variance in the per diem cost per patient.

#### INDIAN HEALTH SERVICES

June 17, 1947.

HOSPITALS	COST PER DAY
Lady Willingdon Hospital, Ohsweken, Ont. ....	\$2.4145
Manitowaning Indian Hospital, Manitowaning, Ont. ....	2.83
Squaw Bay Indian Hospital, Fort William, Ont. ....	1.6635
Fisher River Indian Hospital, Hodgson, Man. ....	2.7685
Fort Alexander Indian Hospital, Pine Falls, Man. ....	3.3783
Norway House Indian Hospital, Norway House, Man. ....	2.4399
Dynevour Indian Hospital, Selkirk, Man. ....	1.9309
Clearwater Lake Indian Hosp., The Pas, Man. ....	5.7005
Qu'Appelle Indian Hospital, Fort Qu'Appelle, Sask. ....	1.95
Blackfoot Indian Hospital, Gleichen, Alta. ....	1.9732
Blood Indian Hospital, Cardston, Alta. ....	1.538
Morley Indian Hospital, Morley, Alta. ....	5.7251
Sarcee Indian Hospital, Calgary, Alta. ....	—
Peigan Indian Hospital, Brocket, Alta. ....	4.6107
Charles Camself Indian Hospital, Edmonton, Alta. ....	4.084
Coqueleetza Indian Hospital, Sardis, B.C. ....	2.673
Miller Bay Indian Hospital, Prince Rupert, B.C. ....	—

(From latest Audit Reports.)

Lady Willingdon hospital, Ohsweken, Ontario, on the Six Nations reserve, \$2.41 per day. This is a busy hospital with almost full surgical facilities. Major operations are done in this hospital; and if less surgery were done the cost would be somewhat lower.

Manitowaning Indian hospital at Manitowaning, Ontario. This is a residence which was purchased in the town and converted into a small hospital. It has been used for keeping tuberculous Indians. Treatment facilities were not sufficient there to warrant using the full capacity of the hospital and it is often not operated to full capacity. It is only a small institution. We were able to give about sixteen and then we installed X-ray equipment which took up the space of four beds and that has cut down its capacity to twelve beds. The staff there could probably take care of an institution twice the size, and it is the intention in future to use it more as a nursing station and for a maternity station, and when we do that I think we will find that our cost will come down. At present the cost is \$2.83.

Squaw Bay Indian hospital, Fort William, Ontario. This is a building which was obtained on the reserve and remodelled so that 20 tubercular Indians could get treatment there under the direction of the Fort William sanatorium, so these Indians are under first class auspices and we are operating there at a cost of \$1.66 per day.

Fisher River Indian hospital, Hodgson, Manitoba. That is in on the reserve in northern Manitoba, at Hodgson, and our costs there are \$2.76 per day.

Fort Alexander Indian hospital, Pine Falls, Manitoba. We have just recently had a full time medical officer there and the best use has not been made of this institution as yet. We know that when used in the manner that it should be, our per diem costs probably will come down a great deal.

Norway House Indian hospital, Norway House, Manitoba. This is an inadequate plant and expensive to operate but still it has done a great deal for the people there. It has been operated in a remote section of the country at a cost of \$2.43 per day.

Dynevor Indian hospital, Selkirk, Manitoba. This is a 50-bed hospital operated for us by the Sanatorium Board of Manitoba where tuberculous Indians get first-class treatment at \$1.93 per day.

Clearwater Lake Indian hospital, The Pas, Manitoba. This is also operated by the Sanatorium Board and in both of these institutions—I refer to Dynevov Indian hospital too—the salaries of the medical officers are included in the figures. In this case it is \$5.70 at the present time; but there are other factors which make this cost out of line with our other institutions; first, it was an American army hospital and was designed more for a dispersal unit rather than for economy of operation, and to correct that a contract has now been let which will give us another 100 beds and once those beds are in operation I will predict that our costs will be less than half what they are now. Secondly, in this figure, I cannot tell you how much capital account has been included. I fancy there is a considerable amount of capital cost in that, so it is not an accurate figure because of that.

One of our oldest institutions and one of the hospitals which has done the best work among the Indians is at Fort Qu'Appelle, Saskatchewan; and our most recent cost there is \$1.95 per patient day.

Blackfoot Indian hospital, Gleichen, Alberta, is operated at a cost of \$1.97 per day. The Indians are paying this operating cost from their own band funds, in the case of this hospital on the Blackfoot reserve.

Blood Indian hospital, Cardston, Alberta, costs \$1.53 per patient day.

Then, there is a small hospital, the Sarcee Indian hospital, on the Sarcee reserve near Calgary; that hospital operates at a cost of—sorry, I haven't the cost of that here.



Then there is the Morley Indian hospital, at Morley, Alberta, which operates at a cost of \$5.72 per patient day; but, again, to give an explanation of that figure, this property should not be classed as a hospital; it is more of a nursing station where we can keep a resident nurse and an assistant. They take in emergency cases and they keep them there until they can be transferred elsewhere; and the nurse uses it as headquarters for her reserve, and that cost is all reflected in the per patient day cost, which is hardly fair.

The Charles Camsell Indian hospital, Edmonton, Alberta. This is a new, large hospital which we took over from the American army. It is a 350-to 400-bed institution giving the most advanced treatment that is obtainable on the North American continent. There is no place on the North American continent where any more advanced surgery can be done than is being carried out at this hospital, giving such operations as the removal of a lung and operations on the heart. These are being done in our hospital; even provincial patients are referred there for special treatment. That operates at a cost, including medical staff, of \$4.08 per patient day. That is in the city of Edmonton.

Coqueleetza Indian hospital, Sardis, British Columbia. Again, expert treatment is carried out under the direction of a skilled medical staff. That is operated at a cost of \$2.67 per patient day. That would be comparable to one of the provincial institutions such as Prince Albert or Fort Qu'Appelle provincial sanatoriums, where their costs are, in the case of Fort Qu'Appelle, \$4.50 per patient day, and in the case of Prince Albert, \$4.50 per patient day.

*By Mr. Reid:*

Q. Right there, Dr. Moore, may I ask if that Edmonton hospital with a capacity of 450 beds is a general hospital, just to cater to all diseases?—A. Not 450; it is from 350 to 400. One small section of the hospital is used for maternity cases for the reason that there are Indian bands near Edmonton, and we have probably 20 or 30 beds for general work.

Q. I think you already said there was a hospital at Coqueleetza which cost \$2.67; compared to Edmonton the hospital at Coqueleetza is for T.B. and nothing else. I would not presume to go against your opinion, but according to my view I think these hospitals could be run much cheaper if they had everything up to date.—A. If you go into expensive surgery such as we require to do in Edmonton that would not be entirely the case. I think that is demonstrated in the provincial institutions. I know at the Weston Sanatorium, where they do expensive surgery, the cost rose to \$4.69, as I recall it; and some of the other Ontario provincial institutions were in the neighbourhood of \$3.30. I think the average is \$3.35.

*By Mr. Castleden:*

Q. You gave the cost as \$4 per day at Fort Qu'Appelle?—A. The provincial government hospital, that is at Fort Sand. The hospital at Fort Qu'Appelle works out at \$1.95 per patient day.

Q. Those are the departmental hospitals?—A. Yes, the others are provincial, operated by the Saskatchewan Anti-Tuberculosis League.

*By Hon. Mr. Stirling:*

Q. Did I understand you to say that these figures do not take into account interest on capital account?—A. That is correct.

Mr. FARQUHAR: Mr. Chairman, is it understood that we are to ask questions as the doctor proceeds?

The CHAIRMAN: The doctor is making a general statement now. I will admit that I have been very lenient, to say the least. If it is your pleasure we will let him complete his statement without questioning. I think the questions so far have not been ones that have been prepared by the members but more generally have a pertinent and direct bearing on a particular statement.



Mr. FARQUHAR: I thought probably you had changed your decision because they were all to ask questions now.

The CHAIRMAN: I did not intend to change the method although I have been very lenient. If it is the wish of the committee I would be glad to tighten up.

Mr. REID: Personally, I cannot see any objection to having a question asked on a very pertinent point when a man is making a statement.

Mr. FARQUHAR: I am not objecting, I am just asking if the system has been changed.

The CHAIRMAN: It has been the practice of the committee to permit the statement to go in and then ask questions. As this is a very short statement I have been very lenient.

Mr. FARQUHAR: Well there were two or three questions that I would have liked to ask.

The CHAIRMAN: Do you want to ask them on this particular statement?

Mr. FARQUHAR: Yes.

*By Mr. Farquhar:*

Q. It is in connection with the Manitowaning Hospital. The Doctor mentioned the cost but I did not get the cost per day.—A. The cost per day where?

Q. At Manitowaning?—A. \$2.83.

Q. You have a full-time doctor there, does that include any portion of his salary?—A. No, this figure does not include the doctor's salary.

You mentioned that this hospital was to be turned into a nursing station, what is the reason for that when you have a full-time doctor employed there?—A. For a place of that size it would be very expensive to put in complete surgical facilities. We think we will use it primarily for maternity work and medical cases, and for a headquarters for nurses who will do travelling work to the reserves; also, the doctor will hold his clinics there. There is X-ray there now. Surgical cases will be sent to Mindemoya or to Little Current.

Q. The hospitals at Little Current and Gore Bay I understand do not accept tuberculosis cases?—A. Well we cannot say that we have ever considered our treatment at Manitowaning was adequate. It was more with the idea of isolation when sanatorium beds are so scarce. We have been getting most excellent co-operation from the Ontario division of tuberculosis control. Their officials have always given us better than a fair break on their waiting lists. When they have waiting lists we often get preference.

Q. Where is the closest tuberculosis hospital serving this section?—A. Gravenhurst. Now I attended a meeting about a year ago in Sudbury and there is a plan under way to build a sanatorium that will serve Sudbury and the Sault Ste. Marie district and we are watching developments and if it looks to be to the advantage of our Indian health program we will recommend to the government that it make a grant to this institution to make a number of beds available at Sudbury. I understand that plan is going ahead soon and if it does we certainly could not want to undertake tuberculosis care at a little place like Manitowaning. We feel much better use could be made of the larger institution in our health program.

Q. Wikwemikong is, I think, one of the largest reserves in the province of Ontario if not on the continent. Having so many Indians in that district I thought the department might consider having a tuberculosis hospital somewhere centrally located?—A. In our experience, to get fully adequate treatment, it is necessary to be able to put on a big enough staff. If you get much under 75 beds it becomes a very expensive operation.

Q. How many Indians do you consider it is necessary to have in a certain section before you would consider the building of a hospital?—A. Oh, I would

think about 5,000. You see there are quite good hospital facilities for so many Indians in that area, Sault Ste. Marie, Sudbury, North Bay, and Sturgeon Falls.

Q. I understand those hospitals there are filled to capacity practically all of the time?—A. I think that is true of all of hospitals in Canada. There is a shortage of hospital beds everywhere.

The CHAIRMAN: Before we proceed, can we now decide whether or not we will meet this afternoon or to-morrow morning. You know the difficulty of meeting when the House is in session with so many committees meeting and if it is agreeable I would suggest that we meet to-morrow morning.

Agreed.

We must finish to-morrow by one o'clock because Dr. Moore is leaving the city to-morrow.

Then, if it is agreeable, we will proceed with Mr. Reid's questions.

The WITNESS: I have finished placing on the record the cost of our departmental hospitals.

*By Mr. Matthews:*

Q. You mention one of the hospitals or perhaps more than one Doctor, where I understand you administer the hospital and the expenses are borne out of band funds?—A. That is correct in a few instances, and the Blackfoot Indian hospital is an example. At the Lady Willingdon hospital the Six Nations band pay the salary of one medical officer and the government pays all the rest of the expenses.

Q. Is the band represented in any way such as on the hospital board or anything like that?—A. Where the band is supplying the money it would have a vote on the council and the council would recommend to the department how much money would be set aside for the particular purpose.

Q. How does the per diem cost there compare with the others?—A. Do you mean the Blackfoot?

Q. Yes, I am talking of the expense of running that hospital?—A. It is low, very low.

Mr. BRYCE: \$1.97 per day.

The WITNESS: Yes, \$1.97. You will find everywhere that reference is made to the fact that hospital costs are up to about \$5 a day and so if we can operate for \$1.97 we feel we are getting pretty good value.

Mr. MATTHEWS: Would the fact the band funds are used is associated in any way as a contributing factor to the lower cost?

The WITNESS: No, it is operated exactly the same as the other institutions staffed with civil servants, and purchases are made through our purchasing division.

To proceed further with the reply to Mr. Reid's questions we made a full survey of all our costs of operation in all institutions in Canada and it took a clerk over two months to compile these figures last year. The latest available full figures are for 1945 and the very extensive list which I handed to Mr. Reid contains that information. I will leave it with the committee as I do not think it would serve any purpose in putting in on the record, and, again, the costs as recorded there will have doubled by now.

The CHAIRMAN: Which statement is that?

The WITNESS: That is a statement of rates paid for hospitalization in all hospitals in Canada where we have patients, regardless of who operates the hospital.



*By Mr. Castleden:*

Q. And what was the total expenditure of hospitalization at that date?—Have you any figures on that?—A. It was between \$750,000 and \$1,000,000. I think the exact figures show on the statement.

Q. And this year you have in your estimates, I notice, the figure \$2,000,000?—A. Yes, that is the primary. Hospital bills are paid from that but expense of operating our own hospitals would not be included under that primary; it will be in other primaries.

*By Mr. Lickers:*

Q. You say the increase over 1945 up to now is almost double the cost?—A. In many instances. In Montreal up to 1945 we were paying \$2.50 to the Montreal General, and I think \$3, and later \$3.50, to the Royal Victoria. Those hospitals are both demanding \$6 a day now.

Q. What about the per diem cost of government hospitals, has that increased proportionately?—A. No, there has not been a proportionate increase in our costs. They have gone up, but they have gone up to the extent city hospitals are claiming, and for which they produce figures substantiated by audited statements.

Q. What percentage of increase would you say there was in the government hospitals?—A. I think 20 per cent would be about as accurate as I could estimate. Some of our costs are still not reflected because we have had very marked salary increases but those have only been in effect for three months.

The CHAIRMAN: I think we will have to adopt our regular practice of letting Dr. Moore complete his statement and then we will ask him questions. Following Mr. Farquhar's suggestion, if it is agreeable we will proceed without questioning.

Agreed.

The WITNESS: Running over this list of charges I will just pick out, at random, a number of hospitals across the country where there are large numbers of Indians hospitalized from time to time. The per diem rates in the Vancouver General Hospital are \$3.50; in Nanaimo General Hospital \$3.50.

Saskatchewan is in a little different category because the government of that province brought forward a scheme of hospitalization where they are paying hospital costs for patients admitted to Saskatchewan hospitals. They forward each month a list of what the province is paying and we pay practically similar rates when Indians are admitted to Saskatchewan hospitals.

The whole question of rates paid to hospitals has been a very contentious one. We have endeavoured as far as possible to protect our Vote and get the best deal we can with any hospital and keep our costs down, trying to get value for what we are spending but we have had many arguments on rates with a great many hospitals. We are at the present time revising our whole structure of rates paid and most of the figures I am quoting to-day will probably be inaccurate to-morrow, particularly since Dr. Procter has just returned from a trip across the country visiting those institutions and getting their complaints at first-hand.

*By the Chairman:*

Q. What is Dr. Procter's position?—A. Assistant director of Indian and Eskimo Health Service, in charge of administration.

Q. Connected with what department?—A. The Department of Health and Welfare.

Q. And Dr. Procter is also present here to-day?—A. Yes. This list of hospitals for Saskatchewan covers seven pages and, if it is the wish of the committee, that can be put on the record (See Appendix GI) but they vary



from quite high, about \$4.75, to places where they are probably only nursing stations and there the rates are in the neighbourhood of \$2. \$5.35 is the rate at Saskatoon.

Mr. CASTLEDEN: Hospitals are classified according to the service they are able to give?

The WITNESS: There is a point system. Hospitals that have a fuller service, like the Saskatoon hospital, receive a higher number of points. The Saskatoon hospital rates 823 points and they get \$5.35 a day as compared to the Rose Gill hospital at Rabbit Lake which has only 588 points.

*By Mr. Reid:*

Q. Are you giving us the rates charged by the hospital or the cost of the patient in the hospital? That is important.—A. These costs that I am speaking of now are compiled by the Government of Saskatchewan Department of Public Health, Hospital Planning and Administration.

Q. I am not questioning them but the others you gave for Vancouver and Nanaimo. You are now dealing with Saskatchewan. Are those costs the rates which the hospital charges per day or the actual costs, because some of these hospitals are going in the red all the time?—A. They are the rates we are presently paying. Again I would state they are under adjustment at the present time.

*By Mr. Castleden:*

Q. What is the rate at Lestock?—A. \$3.86 per day.

*By Mr. Reid:*

Q. The figure which you quoted for Saskatchewan, is that what you are paying there? For Vancouver and Nanaimo you gave the figure of \$3.50 and you now mention a figure in Saskatchewan of \$4.75 and down to \$2.50 for nursing stations. Do those figures represent what you are paying or do they represent the costs of the hospitals? Let us have a clear picture. I am sorry I have not a clear picture in my mind.—A. Those are the only guides which we have at the present time for adjusting our rates unless we have negotiated a deal with the hospitals. They submit their actual costs to us.

Q. Are you paying from \$4.75 to \$2.00 in Saskatchewan? You gave those figures a moment ago.

Mr. BRYCE: Those are the actual costs.

The CHAIRMAN: Those figures represent what the Indian Affairs Department pays to the individual hospital.

Mr. REID: It is most important to know that.

*By the Chairman:*

Q. This is what the Department is paying to the individual hospital. This is the deal which the Department of Indian Affairs has been able to make with each separate hospital?—A. That is not quite 100 per cent correct. The list of figures which I am submitting for the record are those compiled by the Saskatchewan government as the rate that government will pay to Saskatchewan hospitals. You must understand we have accepted that schedule only very recently. There are some hospitals for which we are not following this schedule in its entirety. We are asking some, for instance, to accept a new-born child at less than the full rate for an adult.

Mr. REID: Your statement of a moment ago affects every member of this committee and every member of parliament because, as you know, we have been endeavouring through the various hospitals to have the Indian Department pay the same fee as private people and we have been given the brush-off. Now, we hear from you that you are paying from \$4.75 to \$2.00 in Saskatchewan. I am glad you are doing it. But, when you come to British Columbia, you are paying only \$3.50 in Nanaimo.

The WITNESS: Mr. Reid, I can only say in answer to that that I hope probably, this will clear it up in your mind. These rates have been adopted only in the last month or two. In all all British Columbia and other hospitals we are asking each institution to submit to us a statement of its cost for *public* ward care.

Now, I should like to make that latter statement very clear because there is a great discrepancy between public ward care and the total cost of running a whole hospital, including the private wards. We are attempting to negotiate a satisfactory rate for the hospital which it will accept and with which it will be satisfied. This whole rate structure is under review at the present time. I think Dr. Proctor has been spending almost his whole time on it. We will try to make a satisfactory adjustment.

Mr. REID: All I am saying is that I am sorry you are going away to-morrow because this is one of the most important subjects before this committee and we have only scratched the surface. I do not feel we are getting enough information and I doubt if we could get it if we sat up until one o'clock to-morrow. This matter affects every province and every hospital. I want to know what you are doing and whether there is any discrimination. You are telling us now you are getting out public charge rate which will be applied to some of the Indians. I am objecting to the Indians being charged public charge rates. They should be treated the same as other people.

The WITNESS: I fear you still misunderstand. We are not asking the rate for public ward care. We do not admit Indians as *private* patients. If you go to any hospital, there is a rate for public ward, for semi-private and for private wards. We have never felt justified in spending the taxpayers' money to provide more than *public* ward care unless the medical condition of the patient was such that his doctor certified to us that his life or recovery was in danger by not having *private* ward care. If he was that sick and required a special nurse, we did give that service.

*By Mr. Reid:*

Q. You have asked for that information from all hospitals throughout Canada, where Indians are admitted?—A. That is not quite correct. In so far as these institutions which object to our rates are concerned, we are in correspondence with them now before establishing a set rate. We will continue that policy of attempting to establish a rate which is mutually satisfactory to the hospital and ourselves.

Q. I do not know about the other provinces, but I know in British Columbia, nearly every hospital of which I know from one end of the province to the other, has been protesting the low rates provided them by the Indian Department for their Indian patients?—A. Mr. Reid is quite correct in that statement. It is a condition we are trying to remedy. We have had a disagreement of policy with the British Columbia Hospital Association. We do not feel we are justified in negotiating one flat rate for the whole province which is what we have been asked to do.

Q. You have just told me you are doing it in Saskatchewan?—A. No, these Saskatchewan hospitals are all classified according to the service the hospital renders. I will submit the statement for the record and you will see that is brought out clearly in it. (Appendix S.L.)

*By the Chairman:*

Q. We understand that in Saskatchewan you made a different deal with each hospital according to what has been figured out by the Provincial Department of Health?—A. That is correct.

Q. So, each Indian then is given the same treatment as the white people in Saskatchewan?

Mr. REID: Personally, I can see nothing wrong with that at all. I want to see it extended to other provinces.

*By the Chairman:*

Q. I understand now you are trying to extend it to other provinces?—A. The Canadian Hospital Association has recommended payment of this upon a system; that is, a hospital which supplies all facilities at higher costs than a hospital which merely supplies bed care and nothing more. A hospital which supplies bed care and nothing more, certainly should not be paid the same rate as the Vancouver General. That is what we are asked to do, to make one flat rate for the whole province of British Columbia.

Mr. REID: The reason I interjected these questions was to try and get a clear picture in my own mind. I have not a clear picture. When you referred to Saskatchewan and mentioned the figures of \$4.75 and I looked back at Vancouver and Nanaimo and found the figure of \$3.50, it was then that I asked the questions. The \$3.50 which you mentioned is just a tentative amount until you get the statement from these hospitals as to their costs?

The WITNESS: Those rates are under discussion at the present time.

Mr. REID: Then, they are not comparable. The \$3.50 for Nanaimo and Vancouver is not comparable to the \$4.75 because you are asking these individual hospitals to send in their costs. I agree with that. I know that some of our hospitals are charging far more than \$3.50. Hospital costs have gone up everywhere. I am not sure what the rates in Vancouver and Nanaimo are but I am sure they are far more than \$3.50, the figures which you have given. I see these figures cannot be compared because one is just a tentative amount.

The WITNESS: Until a few months ago, we were paying the Saskatchewan hospitals \$2.00 per day and in some instances \$3.00 per day.

Mr. REID: I am glad to learn what has been done. It was not clear when you made your earlier statement.

*By Mr. Matthews:*

Q. You cannot make a flat rate for province and pay the same rate for all classes of hospital. That would be out of the question.—A. This has been one of the most difficult problems this service has had to deal with. The officers of the department have had a terrific amount of work and worry when they were trying to make the funds they had meet the hospitalization demands which were placed upon us. I think most of us have gone through times when there were not sufficient funds available and patients died outside of hospitals when probably hospital care would have saved them. That is a bad statement to have to put on the record but unfortunately it is true.

*By Mr. Castleden:*

Q. That is the only way we are going to have that matter brought up. Have you got figures with regard to what you pay in the outlying hospitals and nursing homes in British Columbia or Alberta?—A. In an attempt to try to clear this picture I divided them into departmental hospitals, general hospitals, across the country, and the type of hospital that we class as a mission hospital. Those are mostly operated by the missionary societies. Their patients are practically



all Indians. They have no other source of revenue except what we pay, or the odd indigent halfbreed who is paid for by the province or, if it is in the north west territories, that administration pays for the maintenance.

In general these rates again are in a period of adjustment. I have set a tentative rate in some cases and a firm rate in the others. As I explained at a previous meeting there were so many indirect subsidies being given to these hospitals we are just gradually getting it straightened out to bring into the clear what we really are paying.

Take, for instance, two of the mission hospitals, one at Chesterfield Inlet and one at Pangnirtung. While it appeared in our records we were paying \$2.50 a day I found the actual payment was nearer \$6, and that at those prices the mission hospitals were claiming they could not operate. As a trial for the period of a year I am giving them \$7 per day.

In fairness I must say I am not satisfied with the service we are receiving for that. I think it only fair to the committee that I make this statement, and I will make it prefaced by these remarks, that the church societies and missionaries undertook medical work among the Indians long before the government ever accepted responsibility in that regard. I think a great deal of credit should be given for what they have accomplished, often through devotion of their people who undertook those duties. However, as more funds are being voted by parliament to meet the obligations of medical service to the Indians our experience with mission hospitals is not altogether satisfactory. There are various reasons for that. I think the chief one is that the prime obligation that these people take on is the missionary effort amongst the people where they are working. Our experience with these mission hospitals is usually that the missionary effort overshadows their medical effort. Our medical people never have difficulties with the nurses, whether they be nuns who are nurses or whether they be lay nurses employed by the church, but they always seem to have difficulty with the missionaries themselves. The missionary thinks one thing and the doctor thinks another, and the missionary is running the hospital.

I know this a contraversial subject, and I speak with some hesitation, but I think I owe it to the committee to place my views on record. We have had very unsatisfactory things occur in the past. We do not want repetitions of them. I can only say as honestly as it is humanly possible, that from the experience of myself and all our officers we firmly believe that where a hospital is serving solely the native population it should be fully under government direction. We feel that if the churches have an obligation now it is to supply the religious comfort they claim their patients need in those hospitals, and we will co-operate with them in every way humanly possible. We feel that ultimately we will have to bear all the costs involved and that we should have more control than we now exert.

To give further examples so as to clear my position and the position of my officers in this matter let me say that there is some resistance from missionary societies to people belonging to their faith being treated in a hospital belonging to one of the other missionary societies. We do not believe that it is practical to try to operate full treatment hospitals scattered around in these remote areas. It is impossible to get medical attention there, and things occur in those hospitals that should not. There should be medical attention everywhere but it is impossible. You only have to look at the map of Canada and see the numbers of people involved to realize that. We think, therefore, that this system of nursing stations, where patients will be evacuated to proper hospitals, is the system that should be employed. If these so-called hospitals operated by the missions continue to spring up all over the country we immediately get resistance to the transferring of patients. The staff there is not under our direction and we cannot get the patients sent out to proper hospitals. We

meet resistance. I do not say we cannot, but we meet resistance in transferring patients where we know they would get far more adequate attention and thereby probably recover to a greater extent, and certainly the length of treatment for which we pay a per diem charge, in every instance, would be lessened.

I hope I have made that point clear from my viewpoint. I know it does not meet with the full approval of the various missionary societies. I think you have have that recorded in their briefs here. Again I say it has been with much hesitation that I have made this statement.

Mr. CASTLEDEN: I think the committee appreciates that and will find it very valuable.

The CHAIRMAN: Have you finished?

Mr. CASTLEDEN: There is one question he did not quite answer.

The WITNESS: As to the rates paid I quoted the highest at Pangnirtung and Chesterfield Inlet.

*By Mr. Castleden:*

Q. That is in the northwest?—A. That is in the eastern Arctic.

*By Mr. Reid:*

Q. The highest is in the eastern Arctic?—A. Yes, \$7 a day for those two institutions. We have not cleared up the rates that are to be paid to mission hospitals operated by Bishop Trocellier under the Roman Catholic Episcopal Corporation of Mackenzie. He has five hospitals. Again the salaries of nurses were being paid in those hospitals, two nurses in some cases and one in others, and other payments were being made. In a number of cases the federal government contributed a grant towards the capital cost of the institution. We were paying rates there of \$2.50 and \$3 per day. We have tentatively raised those rates to \$3.50 per day. We have asked the church authorities to submit to us for analysis a statement of their costs, and this \$3.50 will probably have to be revised.

The same is true of the hospital operated by the Anglican church at Aklavik. This dual system of hospitals, which the department has been asked on many occasions to endorse, is exemplified at Aklavik where side by side stand two church hospitals. As an example of what medical opinion would be, if we were operating those hospitals we would utilize one of those institutions fully for the treatment of tuberculosis and the other for general cases. The way it is now if we are going to treat a tuberculous Indian from Aklavik without shipping him 1,400 miles to Edmonton he has to be put in wards with non-infections cases which is not medically sound. We can design hospitals, and they cost a good deal of money if they are done properly, where we can have a section of the hospital where tuberculosis can be safely treated and non-tuberculous cases safely treated, but it is impossible in those hospitals at Aklavik.

I do not think any other clear cut information would come out of such figures and statistics as we have available. Again I must say to the committee something I mentioned in my first statement that this service is terrifically handicapped by lack of space. I have three of my medical officers working in one small office. We have made arrangements with the Dominion Bureau of Statistics to give us a statistician. There is a girl trained in that work, and we have not got a square foot of space we can get her into to start her to work. I apologize for not having better statistics for the committee.

*By Mr. Castleden:*

Q. You are working on that. You are getting some millions of dollars for a building program in the estimates this year?—A. Unfortunately that is not to be spent in Ottawa.

The CHAIRMAN: It is 1 o'clock. There will be no meeting until tomorrow morning at 11. Mr. Reid, we hope you get started promptly with your questions tomorrow morning, if that is agreeable.

Mr. BRYCE: Let us start the questioning right away at 11 o'clock.

The CHAIRMAN: Unless something urgent and unforeseen comes up, and then I will not be responsible.

Mr. CASTLEDEN: Before we leave, I believe a letter has come to the committee from a group on the Caughnawaga reserve asking that Indian representatives be allowed to sit in with this committee.

The CHAIRMAN: Yes, I got a letter.

Mr. CASTLEDEN: The other matter I have I should like to put as a notice of motion. I wonder if the officials of the department would place on the record, or give us at some future time, the number of teachers employed in day and residential schools in each of the provinces and in the Northwest Territories along with their qualifications, those who are qualified and those who are not qualified, and in giving the qualifications give what school training, what normal school training and what special qualifications they may have, and if possible the length of time they have been teaching.

Mr. NEARY: In that regard it will have to be understood whether you will recognize training in England and English certificates, and whether you will recognize American certificates, because we have both. We have a lot of them teaching in our schools. Would you recognize such a teacher as a certificated teacher?

Mr. CASTLEDEN: Yes.

Mr. NEARY: You asked for qualified teachers.

Mr. CASTLEDEN: Yes, and the second part of the question was what school they attended, what normal school training they have had, and what special qualifications they may possess.

The committee adjourned at 1 o'clock p.m. to meet again on Friday, June 20, 1947, at 11 o'clock a.m.





## APPENDIX GI

DEPARTMENT OF PUBLIC HEALTH  
HOSPITAL ADMINISTRATION

REGINA,  
2450 Broad Street,  
April 5, 1947.

Dr. H. A. PROCTER,  
Assistant Director,  
Indian Health Services,  
Department of National Health and Welfare,  
Ottawa, Ontario.

DEAR DOCTOR PROCTER:—

*Re: 50-1 Sask.*

Attached hereto you will find one copy of the list of rates payable to the various hospitals in the province of Saskatchewan for the month of April, 1947, from the Saskatchewan Hospitalization Fund.

Sincerely yours,

C. J. KIRK, M.D.,  
*Director of  
Hospital Planning and Administration.*

CJK: JD

Att. 1

RATES OF PAYMENT FROM THE SASKATCHEWAN HOSPITALIZATION  
FUND FOR THE MONTH OF APRIL, 1947

APPROVED HOSPITALS—

Location	Name of Hospital	Number of Points	At rate of 6.5 mills for first 10 days	At rate of 6 mills for second 10 days	At rate of 5.5 mills thereafter
			\$	\$	\$
ARCONA.....	Brock Union Hospital.....	634	4.12	3.80	3.49
ASSINIBOIA.....	Assiniboia Union Hospital.....	627	4.08	3.76	3.45
BALCARRES.....	Balcarres Union Hospital.....	625	4.06	3.75	3.44
BENGOUGH.....	Bengough Municipal Hospital.....	565	3.67	3.39	3.11
BIENFAIT.....	Bienfait Community Hospital.....	646	4.20	3.88	3.55
BIGGAR.....	St. Margaret's Hospital.....	686	4.46	4.12	3.77
BIRCH HILLS.....	Birch Hills General Hospital.....	610	3.97	3.66	3.36
BROADVIEW.....	St. Michael's Hospital.....	705	4.58	4.23	3.88
CABRI.....	Cabri Union Hospital.....	697	4.53	4.18	3.83
CANORA.....	Canora Union Hospital.....	684	4.45	4.10	3.76
CARROT RIVER.....	Mitchel Memorial Hospital.....	530	3.45	3.18	2.92
CENTRAL BUTTE.....	Central Butte Union Hospital.....	608	3.95	3.65	3.34
CUDWORTH.....	St. Michael's Hospital.....	711	4.62	4.27	3.91
DAVIDSON.....	Davidson Union Hospital.....	620	4.03	3.72	3.41
DODSLAND.....	Doddsland Union Hospital.....	543	3.53	3.26	2.99
EATONIA.....	Eatonia Union Hospital.....	631	4.10	3.79	3.47
EDAM.....	Lady Minto Union Hospital.....	594	3.86	3.56	3.27

RATES OF PAYMENT FROM THE SASKATCHEWAN HOSPITALIZATION  
FUND FOR THE MONTH OF APRIL, 1947—*Concluded*

Location	Name of Hospital	Number of Points	At rate of 6.5 mills for first 10 days	At rate of 6 mills for second 10 days	At rate of 5.5 mills thereafter
			\$	\$	\$
ELROSE.....	Elrose Union Hospital.....	653	4.24	3.92	3.59
ESTERHAZY.....	St. Anthony's Hospital.....	667	4.34	4.00	3.67
ESTEVAN.....	St. Joseph's Hospital.....	712	4.63	4.27	3.92
ESTON.....	Eston Union Hospital.....	648	4.21	3.89	3.56
FOAM LAKE.....	Foam Lake Union Hospital.....	645	4.19	3.87	3.55
FRONTIER.....	Frontier Community Hospital.....	627	4.08	3.76	3.45
GRAVELBOURG.....	St. Joseph's Hospital.....	708	4.60	4.25	3.89
GRENFELL.....	Grenfell Union Hospital.....	670	4.36	4.02	3.69
GULL LAKE.....	Gull Lake Union Hospital.....	681	4.43	4.09	3.75
HAFFORD.....	Hafford Union Hospital.....	673	4.37	4.04	3.70
HERBERT.....	Herbert Community Hospital.....	582	3.78	3.49	3.20
HUMBOLDT.....	St. Elizabeth's Hospital.....	731	4.75	4.39	4.02
ILE A LA CROSSE.....	St. Joseph's Hospital.....	—	4.04	3.72	3.41
IMPERIAL.....	Imperial Union Hospital.....	621	4.04	3.73	3.42
INDIAN HEAD.....	Indian Head Union Hospital.....	675	4.39	4.05	3.71
KAMSACK.....	King Edward Hospital.....	647	4.21	3.88	3.56
KELVINGTON.....	Kelvington Union Hospital.....	647	4.21	3.88	3.56
KERROBERT.....	Kerrobert Union Municipal.....	663	4.31	3.98	3.65
KINCAID.....	Kincaid Community Hospital.....	582	3.78	3.49	3.20
KINDERSLEY.....	Kindersley Union Hospital.....	658	4.28	3.95	3.62
KINISTINO.....	Kinistino District Hospital.....	636	4.13	3.82	3.50
LAMPMAN.....	Lampman Union Hospital.....	641	4.17	3.85	3.53
LASHBURN.....	Lashburn and District Union.....	645	4.19	3.87	3.55
LEADER.....	Leader Town Hospital.....	600	3.90	3.60	3.30
LESTOCK.....	St. Joseph's Hospital.....	594	3.86	3.56	3.27
LLOYDMINSTER.....	Lloydminster United Municipal.....	692	4.50	4.15	3.81
MACKLIN.....	St. Joseph's Hospital.....	703	4.57	4.22	3.87
MAPLE CREEK.....	Maple Creek Union Hospital.....	703	4.57	4.22	3.87
MEADOW LAKE.....	Meadow Lake Community Hospital.....	621	4.04	3.73	3.42
MELFORT.....	Lady Minto Hospital.....	677	4.40	4.06	3.72
MELVILLE.....	St. Peter's Hospital.....	705	4.58	4.23	3.88
MILDEN.....	Milden Community Hospital.....	599	3.89	3.59	3.29
MOOSE JAW.....	Moose Jaw General Hospital.....	794	5.16	4.76	4.37
MOOSE JAW.....	Moose Jaw Providence Hospital.....	750	4.88	4.50	4.13
MOOSOMIN.....	Moosomin Union Hospital.....	650	4.23	3.90	3.58
NIPAWIN.....	Nipawin Union Hospital.....	689	4.48	4.13	3.79
NOKOMIS.....	Nokomis Community Hospital.....	619	4.02	3.71	3.40
NORTH BATTLEFORD.....	Notre Dame Hospital.....	696	4.52	4.18	3.83
OXBOW.....	Oxbow Union Hospital.....	620	4.03	3.72	3.41
PARADISE HILL.....	Paradise Hill Community.....	578	3.76	3.47	3.18
PONTEIX.....	Gabriel Hospital.....	666	4.33	4.00	3.66
PREECEVILLE.....	Preeceville Community Hospital.....	605	3.93	3.63	3.33
PRINCE ALBERT.....	Holy Family Hospital.....	762	4.95	4.57	4.19
PRINCE ALBERT.....	Victoria Hospital.....	749	4.87	4.49	4.12
RABBIT LAKE.....	Rose Gill Hospital.....	588	3.82	3.53	3.26
REGINA.....	Regina General Hospital.....	815	5.30	4.89	4.48
REGINA.....	Regina Grey Nun's Hospital.....	814	5.29	4.88	4.48
ROSETOWN.....	Rosetown Union Hospital.....	689	4.48	4.13	3.79
ROSE VALLEY.....	Rose Valley Union Hospital.....	619	4.02	3.71	3.40
ROSTHERN.....	Rosthern Community Hospital.....	623	4.05	3.74	3.43
SASKATOON.....	Saskatoon City Hospital.....	823	5.35	4.94	4.53
SASKATOON.....	St. Paul's Hospital.....	813	5.28	4.88	4.47
SMEATON.....	Women's Missionary Society Hospital.....	594	3.86	3.56	3.27
SHAUNAVON.....	Shaunavon Union Hospital.....	677	4.40	4.06	3.72
SWIFT CURRENT.....	Swift Current General Hospital.....	746	4.85	4.48	4.10
TISDALE.....	St. Therese Hospital.....	687	4.47	4.12	3.78
UNITY.....	Unity Union Hospital.....	670	4.36	4.02	3.69
VANGUARD.....	Vanguard Union Hospital.....	664	4.32	3.98	3.65
WADENA.....	Wadena Union Hospital.....	691	4.49	4.15	3.80
WATROUS.....	Watrous Union Hospital.....	625	4.06	3.75	3.44
WEYBURN.....	Weyburn General Hospital.....	687	4.47	4.12	3.78
WHITEWOOD.....	Whitewood Community Hospital.....	583	3.79	3.50	3.21
WILKIE.....	Wilkie Union Hospital.....	671	4.36	4.03	3.69
WILLOW BUNCH.....	Willow Bunch Union Hospital.....	629	4.09	3.77	3.46
YORKTON.....	Yorkton General Hospital.....	752	4.89	4.51	4.14



## SANATORIA—

	Rate for first 10 days	Rate for second 10 days	Rate after 20 days
	\$	\$	\$
FORT QU'APPELLE SANATORIUM.....	4.50	4.00	3.50
SASKATOON SANATORIUM.....	4.50	4.00	3.50
PRINCE ALBERT SANATORIUM.....	4.50	4.00	3.50
QU'APPELLE INDIAN HOSPITAL.....	4.00	3.50	3.00

## APPROVED NURSING HOMES—

Location	Name of Nursing Home	Number of Points	At rate of 6·5 mills for first 10 days	At rate of 6 mills for first 10 days	At rate of 5·5 mills thereafter
			\$	\$	\$
ANTLER.....	Antler Community Hospital.....	581	3.78	3.49	3.20
BORDEN.....	Borden Municipal Hospital.....	—	—	—	—
CLIMAX.....	Climax Community Hospital.....	605	3.93	3.63	3.33
CRAIK.....	Craik Community Hospital.....	580	3.77	3.48	3.19
CUT KNIFE.....	Cut Knife Municipal Hospital.....	519	3.37	3.11	2.85
DINSMORE.....	Dinsmore Community Hospital.....	552	3.59	3.31	3.04
EASTEND.....	Eastend Union Hospital.....	575	3.74	3.45	3.16
GLADMAR.....	Gladmar Maternity Hospital.....	586	3.81	3.52	3.22
GOODSOIL.....	Goodsoil Community Hospital.....	562	3.65	3.37	3.09
LA FLECHE.....	LaFleche Hospital Association.....	564	3.67	3.38	3.10
LANGENBURG.....	Langenburg Nursing Home.....	641	4.17	3.85	3.53
LIMERICK.....	Limerick Memorial Hospital.....	569	3.70	3.41	3.13
LUCKY LAKE.....	Lucky Lake Community Hospital.....	561	3.65	3.37	3.09
MAIDSTONE.....	Maidstone and District Hospital.....	531	3.45	3.19	2.92
OUTLOOK.....	Outlook Community Hospital.....	540	3.51	3.24	2.97
QU'APPELLE.....	Qu'Appelle Memorial Hospital.....	662	4.30	3.97	3.64
RADVILLE.....	Radville Community Nursing Home...	529	3.44	3.17	2.91
SALTCOATS.....	Saltcoats Nursing Home.....	475	3.09	2.85	2.61
SOUTHEY.....	Southey Hospital.....	584	3.80	3.50	3.21
SPALDING.....	Spalding Community Hospital.....	510	3.32	3.06	2.81
SPIRITWOOD.....	Spiritwood Community Hospital.....	543	3.53	3.26	2.99
TURTLEFORD.....	Turtleford Municipal Hospital.....	498	3.24	2.99	2.74
VAL MARIE.....	Notre Dame Hospital.....	634	4.12	3.80	3.49
VICEROY.....	Viceroy Community Hospital.....	569	3.70	3.41	3.13
WYNYARD.....	Wynyard Community Hospital.....	600	3.90	3.60	3.30

VETERANS' HOSPITAL—Saskatoon: \$5.00 for first twenty days; \$4.50 thereafter.

VETERANS' CONVALESCENT HOSPITAL Regina: Flat rate of \$4.00 per day.

## RED CROSS OUTPOSTS—

Location	Number of Points	At rate of 6·5 mills for first 10 days	At rate of 6 mills for second 10 days	At rate of 5·5 mills thereafter
		\$	\$	\$
CARRAGANA RED CROSS OUTPOST.....	559	3.63	3.35	3.07
ENDEAVOUR RED CROSS OUTPOST.....	545	3.54	3.27	3.00
HUDSON BAY JUNCTION RED CROSS OUTPOST.....	591	3.84	3.55	3.25
LEOVILLE RED CROSS OUTPOST.....	551	3.58	3.31	3.03
LEON LAKE RED CROSS OUTPOST.....	513	3.33	3.08	2.82
PADDOCKWOOD RED CROSS OUTPOST.....	529	3.44	3.17	2.91
PIERCELAND RED CROSS OUTPOST.....	535	3.48	3.21	2.94
ROCKGLEN RED CROSS OUTPOST.....	559	3.63	3.35	3.07

## NURSING HOMES OPERATING UNDER PERMITS—

Location			Rates Payable	
			Adults and Children	New-born
			\$	\$
ARBORFIELD.....	Mrs. N. Lemire.....	Nursing Home.....	2.00	0.50
AVONLEA.....	Mrs. A. Monkhouse.....	" ".....	2.00	.50
ARBORFIELD.....	Mrs. G. S. Jackson.....	" ".....	2.00	.50
CANWOOD.....	Mrs. Anna Lidstrom.....	" ".....	2.75	.50
CARLYLE.....	Mrs. Lydia Evans.....	" ".....	2.25	.50
CARNDUFF.....	Mrs. Thos. Reed.....	" ".....	2.00	.50
CARNDUFF.....	Mrs. L. T. McDonald.....	" ".....	2.00	.50
CEYLON.....	Mrs. A. Willis.....	" ".....	2.75	.50
CHAPLIN.....	Mrs. Carrie Heibel.....	" ".....	1.75	.50
CHELAN.....	Mrs. Ann Bergh.....	" ".....	2.50	.50
CORONACH.....	Coronach Nursing Home.....	" ".....	3.00	.50
CREELMAN.....	Mrs. F. Foster.....	" ".....	2.50	.50
EARL GREY.....	Mrs. E. E. Pennock.....	" ".....	2.00	.50
FIELDING.....	Mrs. A. Garnet.....	" ".....	2.00	.50
FORT QU'APPELLE.....	Mrs. Rose Pointer.....	" ".....	2.25	.50
FRANCIS.....	Mrs. Winnifred Haines.....	" ".....	2.25	.50
HALBRITE.....	Mrs. C. B. Smith.....	" ".....	1.75	.50
HANLEY.....	Mrs. C. Hanson.....	" ".....	2.00	.50
IMPERIAL.....	Mrs. Jane Aitken.....	" ".....	2.00	.50
IMPERIAL.....	Mrs. Margaret Atkinson.....	" ".....	2.00	.50
LIPTON.....	Mrs. Amelia Senft.....	" ".....	2.00	.50
LIPTON.....	Mrs. Fred Huber.....	" ".....	2.00	.50
LIVELONG.....	Mrs. M. W. Cox.....	" ".....	2.00	.50
LUMSDEN.....	Mrs. M. Inglis.....	" ".....	2.00	.50
MANOR.....	Manor Nursing Home.....	" ".....	3.00	.50
MARYFIELD.....	Maryfield Nursing Home.....	" ".....	3.00	.50
MIDALE.....	Mrs. M. Hultien.....	" ".....	2.00	.50
NIPAWIN.....	Mrs. C. E. McCrindle.....	" ".....	2.00	.50
OSAGE.....	Mrs. M. Johnston.....	" ".....	2.00	.50
PANGMAN.....	Dr. E. Allaire.....	" ".....	2.50	.50
PANGMAN.....	Mrs. F. Wells.....	" ".....	2.25	.50
QUILL LAKE.....	Quill Lake Nursing Home.....	" ".....	3.00	.50
ROSTHERN.....	Mrs. A. Heinrichs.....	" ".....	2.00	.50
ROSTHERN.....	Mrs. H. Luetke.....	" ".....	2.00	.50
REGINA.....	Mrs. C. Waldeck.....	" ".....	2.50	.50
REGINA.....	Mercy Hospital.....	" ".....	3.00	.50
REGINA.....	Grace Haven Hostel.....	" ".....	3.00	.50
SASKATOON.....	Bethany Nursing Home.....	" ".....	3.00	.50
STRASBOURG.....	Mrs. Matilda Retzer.....	" ".....	2.00	.50
STRASBOURG.....	Mrs. Sarah Gustafson.....	" ".....	2.00	.50
STRASBOURG.....	Mrs. Mary Pirie.....	" ".....	2.00	.50
STRASBOURG.....	Mrs. Cora Adams.....	" ".....	2.50	.50
SEMANS.....	Mrs. M. Bregg.....	" ".....	2.50	.50
STAR CITY.....	Mrs. A. Penvidie.....	" ".....	2.00	.50
STAR CITY.....	Mrs. Margaret Francoeur.....	" ".....	2.00	.50
STOUGHTON.....	Mrs. R. H. Richardson.....	" ".....	2.00	.50
ST. BRIEUX.....	Mrs. Lea Lacharite.....	" ".....	1.75	.50
ST. WALBURG.....	Mrs. Theresa Erhardt.....	" ".....	2.00	.50
TORQUAY.....	Miss C. Ruland.....	" ".....	2.50	.50
WARELLA.....	Mrs. E. Miller.....	" ".....	2.00	.50
WARMAN.....	Dr. W. I. Wilkin.....	" ".....	3.00	.50
WAWOTA.....	Wawota Memorial Union Hospital.....	(Temporary Quarters)	3.00	.50
WOLSELEY.....	Mrs. Elizabeth Kyle.....	Nursing Home.....	2.00	.50

## MANITOBA-SASKATCHEWAN BORDER NURSING HOMES—

Location			Rates Payable	
			Adults and Children	New-born
			\$	\$
MELITA, MAN.....	Mrs. Sarah Mainland.....	Nursing Home.....	2.00	.50
MELITA, MAN.....	Mrs. Cora Forsyth.....	" ".....	2.00	.50
PIERSON, MAN.....	Mrs. William Daniels.....	" ".....	2.00	.50
ROBLIN, MAN.....	Mrs. Margaret Saunders.....	" ".....	2.00	.50







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SESSION 1947



# SPECIAL JOINT COMMITTEE OF THE SENATE AND THE HOUSE OF COMMONS

APPOINTED TO CONTINUE AND COMPLETE THE EXAMINATION  
AND CONSIDERATION OF THE

## INDIAN ACT

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MINUTES OF PROCEEDINGS AND EVIDENCE

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No. 37

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FRIDAY, JUNE 20, 1947

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WITNESS:

Mr. P. E. Moore, M.D., D.P.H., Director, Indian Health Services, Ottawa.

OTTAWA  
EDMOND CLOUTIER, C.M.G., B.A., L.Ph.,  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
CONTROLLER OF STATIONERY  
1947





## MINUTES OF PROCEEDINGS

HOUSE OF COMMONS,

FRIDAY, 20th June, 1947.

The Special Joint Committee of the Senate and the House of Commons appointed to continue and complete the examination and consideration of the Indian Act (Chapter 98, R.S.C., 1927), and all such other matters as have been referred to the said Committee met this day at 11 o'clock a.m.

The Joint Chairman, Mr. D. F. Brown, M.P., presided.

*Present:*

*The Senate:* The Honourable Senators Fallis and MacDonald (*Cardigan*)—2.

*The House of Commons:* The Honourable Mr. Stirling and Messrs. Brown, Blackmore, Bryce, Castleden, Charlton, Farquhar, Harkness, Matthews (*Brandon*) (Vice-Chairman), MacLean, MacNicol, Raymond (*Wright*), Reid—14.

*In attendance:* (From Indian Affairs Branch): Messrs. R. A. Hoey, Director and B. F. Neary, MBE., Superintendent, Welfare and Training; (From Department of National Health and Welfare): Doctors P. E. Moore, W. L. Falconer, H. A. Procter and O. Leroux.

Mr. Neary, Superintendent, Welfare and Training, Indian Affairs Branch, made a further statement relative to a matter discussed yesterday with regard to certain articles in British Columbia newspapers concerning a teacher on an Indian reserve in that province.

Mr. P. E. Moore, M.D., D.P.H., Indian Medical Services, Department of National Health and Welfare, was recalled, and was again questioned with regard to previous submissions to the committee. He was thanked by the Chairman for his valuable assistance and was excused from further attendance on this committee. Dr. Moore agreed to prepare and furnish further information with regard to hospital costs, at the request of Mr. Reid.

The Committee adjourned at 1 o'clock p.m., to meet again on Tuesday next, 24th June, at 11 o'clock a.m.

T. L. McEVOY,  
*Clerk of the Joint Committee.*



## MINUTES OF EVIDENCE

HOUSE OF COMMONS,

June 20, 1947.

The Special Joint Committee of the Senate and the House of Commons appointed to examine and consider the Indian Act met this day at 11.00 a.m. Mr. D. F. Brown, M.P. (Joint Chairman), presided.

The CHAIRMAN: Attention, please. Before taking up the agenda of this meeting, we were discussing yesterday a matter brought to our attention by Mr. Reid. It dealt with considerable newspaper publicity in British Columbia in connection with one Indian reserve in that province. There is further word in connection with this case and probably Colonel Neary could come forward and tell us what further information he has. There was a question as to the academic background of the person appointed to teach in the school on that reserve.

Mr. CASTLEDEN: That is a little bit late.

The CHAIRMAN: When we have found that a mistake has been made it should be rectified.

Mr. CASTLEDEN: I agree with that.

The CHAIRMAN: And if a mistake has been made we are here to recommend that it be rectified, and that it be rectified immediately.

**Mr. B. F. Neary, M.B.E., Superintendent, Welfare and Training Division, Indian Affairs branch, Department of Mines and Resources, recalled:**

The CHAIRMAN: I understand, Colonel Neary, that you have been considering further the matter of the eligibility of this person to teach and that you have, to that end, tried to confirm the information given by the applicant at the time that he made application for a position; is that not correct?

The WITNESS: The point as I made it yesterday was that in the newspaper account he claimed he had degrees of B.Sc. (in social science) from the university of London, and an M.A. and LL.B. from Oxford.

Mr. CASTLEDEN: Was that in his application?

The WITNESS: That was not in his application, Mr. Castleden, but it was in the newspaper account, quite definitely, while in the application he states that he had attended "both of the universities mentioned", but he did not state in his application that he had any degrees from them.

Mr. CASTLEDEN: So it may be just a newspaper report.

The WITNESS: He still claims that he attended these universities; and if you will permit me to read from his application which I have here in front of me and as I read it to the committee yesterday, he states that in 1931 and 1932 he attended Jesus college, Oxford, England, for part-time law studies; and from 1938 to 1941 he attended London university extension course.

Mr. CASTLEDEN: Extension or extra-mural?

The WITNESS: It might be extension or it might be extra-mural. He put "exten" down, and we took that to mean extension. Unfortunately, when I read



the cablegram we received, all the information there is on it is that he took a special course in social science and child welfare. That is on the application form signed by himself.

Mr. REID: What is the date of that?

The WITNESS: November 22, 1946. Now, the latest information which we have received is by cablegram only and has not yet been confirmed in writing and is to the effect—

Mr. MACNICOL: From whom did you receive that; was it from the Canadian High Commissioner in London?

The WITNESS: Yes, from the Canadian High Commissioner in London. It is to the effect that they have checked by telephone with both London university and Oxford university concerning Fellowes; London university has no record of his having a degree there or having been either internally or externally a student; they also state that they have no such degree as B.Sc. in social science; and Oxford has no record of Fellowes taking a degree or having been a student at Jesus college. As I say, I wish to emphasize that this is a cablegram only and has not yet been confirmed in writing.

The CHAIRMAN: I understand, Colonel Neary, that Oxford university does not give a degree of LL.B.; do you know anything about that?

The WITNESS: I would not like to say. I think Mr. McEvoy, here, would have more information on that than anybody else in the room, probably.

The CHAIRMAN: He is the clerk of this committee, and he read law at Oxford. He tells me that Oxford does not grant the degree of LL.B. It may be that other members of the committee have other information.

Mr. REID: I think that information is pertinent in view of the fact that it disproves the information in the press that this man was very highly educated and had a lot of degrees.

The CHAIRMAN: I think that until further information has been obtained we can pretty well leave the matter. Now, there is another matter which I would like to have Colonel Neary bring forward and that is in connection with the evidence given by him concerning the veterans' allowance to a veteran on that reserve. Would you like to give us that now?

The WITNESS: Yes, in further verification of the information which I presented to the committee yesterday we have now received from Mr. Holdsworth, the supervisor of awaiting-returns benefits of the Department of Veterans Affairs, the following information:

The CHAIRMAN: That is in connection with?

The WITNESS: Gordon James.

The CHAIRMAN: That is the one referred to by Mr. Fellowes, the school teacher in British Columbia?

Mr. CASTLEDEN: I do not think he was a school teacher.

The WITNESS: Yes, he was. It quite definitely states that Mr. Fellowes and the priest on the reserve certified the statement. He made that clear.

Mr. CASTLEDEN: It would be very important whose statement they were verifying.

The WITNESS: You will find that in the newspaper report.

Mr. CASTLEDEN: Oh yes, I read the report.

The WITNESS: The supervisor's statement is to this effect:

Awaiting return allowance in payment November 5, 1945, to August 4, 1946.—8 months at \$100 per month, 1 month at \$71. Total payment \$871.

The allowance was discontinued as the veteran failed to submit required monthly statement. The Indian agent was then contacted and he reported that the veteran was otherwise employed.

He reapplied for further assistance May 17, 1947, and his case is now under consideration and will be adjudicated on the basis of the investigator's report.

The CHAIRMAN: Thank you very much, Colonel Neary.

If there is no further comment we have Dr. Percy Moore with us again to-day, and if it is your pleasure we will now proceed with the further questioning of Dr. Moore.

**P. E. Moore, M.D., D.P.H., Indian Medical Service, Department of National Health and Welfare, recalled:**

The CHAIRMAN: We were trying yesterday to get down to a point where Mr. Reid could start his questioning. Did you complete your presentation, Dr. Moore?

The WITNESS: Yes, sir.

*By Mr. Reid:*

Q. The doctor answered four or five questions I put before him the other day, but about his evidence yesterday there is just one question I would like to ask and then I will pass on to a few other questions I have. When you gave the cost of the various departmental hospitals with figures posted such as \$1.53 and all the way up to \$5.70, did you include in that the cost of doctors? —A. In certain of these departmental hospitals medical officers' salaries are included and in others they are not. The ones where the doctors' salaries would be included would be the Clearwater Lake Indian hospital, the Coqueleetza Indian hospital and the Charles Camsell Indian hospital at Edmonton.

Q. Well, Mr. Chairman, I realize from the statement made by Dr. Moore that the cost of hospitals is a very important matter. I realize that we probably have not time at this session to go into it as much as I would like to. I would like to ask for this information to be available for the beginning of the next session when we come back. I would like to have a detailed statement including all costs of doctors and all outside costs, what it is costing the department to run these hospitals the total cost and a breakdown. I think that is very important when we come back next year to make our recommendations on that. I for one feel that without such detailed information I would not be in a position to form anything like a sound decision on the matter. I would like to have that information available when we come back at the beginning of the next session, and I think other members of the committee would like to have it, too.—A. I think we will be able to get that. I gave Mr. Reid yesterday a summary which was prepared on our 1945 costs. To give the committee some idea of the work involved, it took a clerk over two months to collect this information from the various files. But it is information that is very pertinent and we feel we should have it for our departmental purposes and I will endeavour to see that it is prepared and made available.

Q. Now, to come to my question. My question would be this; you, doctor, made the statement that if the hospital administration were taken from the Department of National Health and Welfare and placed back under Indian Affairs it would be a retrograde step. Now, if you have only been in the two departments less than two years what evidence can you give the committee to support your statement that it would be a retrograde step? What changes have taken place since the administration of the health of Indians was taken over by the Department of National Health and Welfare? That is one of



the important questions before this committee. We realize that the two departments are quite separate, and I was rather interested in what you said that it would be a retrograde step to go back to the old arrangement.—A. I think the first reason for recommending a continuance of these services in the Department of National Health and Welfare is the readily available assistance which comes to our service from the special divisions that are set up in the department of health. I have direct access to and control of these various services; that is, control through the deputy minister. I make my requests to our deputy minister and he immediately directs, let us say, that the nutrition division establish certain services for us; or a specialist who is in charge of venereal disease control is sent out to such a clinic as was held in Driftpile agency last year where some 150 Indian half-breeds were found to have had syphilis—we believe that this was the result of abnormal movements of persons building the Alaska highway, but we found this condition and we gathered these people into camps and borrowed tents from the army and put them under canvas; and, in conjunction with the operative division of venereal disease control we sent our own specialist out there and these people were all given this rapid treatment for five weeks and rendered non-infectious, practically cured. This type of cooperation is so much easier when you are part of the Department of National Health; and our experience seems to be that we find it easier to arrange for operations with the provincial departments of health, apart from national health, there is a direct channel, it seems to me, between the various departments and the federal department. My experience when I was in another department was that there was not the same ease; we are now more on one side of the general health picture in the country more than when we were a division under Indian Affairs in another department.

I do not wish my remarks to be interpreted as being critical in any way of the former administration. In conversation with the Director of Indian Affairs he pointed out that the circumstances surrounding the whole administration over the past years had to be considered in the light of the fact that we just had been through a depression and were only slightly getting under weigh again when the war hit us. But the ease with which we have been able to make progress in establishing new positions and getting salary adjustments; in getting suitable staff arrangements made for our hospitals—I attribute that to the fact that the senior decisions are being made by a medical department.

MR. CASE: Mr. Chairman, may I ask Dr. Moore this? Would it change your opinion, if Indian Affairs were under a separate minister, a separate department entirely which would handle the whole matter of Indian Affairs; or would you still feel it would be better to have it all under Health and Welfare?

THE WITNESS: Yes. I would. I feel very definitely on the subject. I probably should not predict this, but I think this is the picture as I see it; and I feel that we would never have a separate minister, we would only become the appendage of another large department. I do not believe that there will be a separate ministry established. It would be under one of the present cabinet ministers under another portfolio. My own opinion is that I certainly think that the man in charge of Indian Affairs should have deputy minister status.

MR. REID: Your department is looking after family allowances which has to do with the education of children and the clothing and feeding of children, and you are now offering them health; what would the effect be if the Department of Health and Welfare took over the balance of Indian Affairs?

THE WITNESS: I made that statement very definitely in my evidence; that it was my opinion that the whole administration might very well be placed in the department. As I view it, in the Department of National Health and Welfare there are two divisions, a division of Health under a deputy minister; a division of Welfare Services with a deputy minister at its head; and the Indian administration would very logically fit into the welfare side of the



picture. They are dealing with welfare problems all over Canada and the Indian welfare picture could very well be tied in with the Department of National Health and Welfare.

Mr. REID: You think that would be an improvement?

The WITNESS: In my opinion I think it would.

Mr. MacNICOL: That is a reflection on previous administrations.

Mr. REID: That is a terrible statement to make when you say that because the Department of Health has taken over one or two services that they could take the rest and make a better job of it than the present Indian Affairs branch are doing. I think that is a terrible statement for you to make to this committee; and I may tell you that I am not very much impressed with it. The reason I asked you that question was to focus attention on your remarks. I notice that at almost every step you touch on the importance of education in Indian life. I could not help but wonder just how deeply involved the Department of Health is in Indian affairs. Now, the question I want to put to you is this: do you think that the Department of Health could do a better job if they had charge of the whole thing?

The WITNESS: You mean, if Indian affairs were all under the Department of Health and Welfare?

Mr. REID: Yes, under the Department of National Health and Welfare. You said that in your opinion they would not need a separate minister.

The WITNESS: That opinion, I know, would not carry very much weight.

Mr. REID: We have had one statement which should be answered. I will take the stand here, Mr. Chairman, that too often we do not get an adequate check on statements made before this committee. A statement was made by one of the witnesses who appeared before the committee which related to this branch of the service. You recall that when Chief Andrew Paull was before us he made the statement that to his knowledge two women had died in childbirth. Now, I would ask Dr. Moore if he has any statement to make about that. Did that happen after his branch of the service was transferred to the Department of National Health and Welfare? I want him to make a statement on that, because there was a definite statement made here by Chief Andrew Paull which I think should be cleared up. He said it was due to some doctors or some departmental official. I think the committee are entitled to some statement on it. I was wondering whether your branch was under the Department of Health and Welfare at the time or whether that was before you had been transferred that this occurred.

The WITNESS: Mr. Chairman, might I place on the record at an early date a written statement regarding these cases? I would like to consult the field officials. I have some recollection of some charges that were made regarding the doctor at Port Alberni. My recollection is that there was some evidence that everything had not been done that should have been done, but it was not nearly as drastic as has been put before the committee. Rather than make a positive statement I would much prefer to have an opportunity of investigating the facts. This was investigated at the time.

Mr. REID: What was the date, do you know?

The WITNESS: It must have been in 1941 or 1942; because the doctor in question just about that time went into the armed services.

Mr. REID: You were still under the Department of Indian Affairs at that time?

The WITNESS: Yes.

The CHAIRMAN: If I might refresh the memory of members of the committee by referring to the Minutes of Proceedings and Evidence on this point—

this will be found at page 899 of the 1947 edition of our Minutes of Proceedings and Evidence—I am referring to the examination of Mr. Andrew Paull, near the bottom of the page:

The WITNESS (Andrew Paull): Yes. I appreciate very much the improved efforts of the Department of National Health and Welfare concerning the health of the Indians. Now, we had some serious trouble in that regard a few years ago. Indian women were refused admittance into hospitals at the time they were giving birth to children. I hope we can be assured that that kind of condition will not happen again, because many Indian women died, especially on the west coast, because they were not hospitalized.

And, farther along, (page 900):

*By the Chairman:*

Q. When was the first case?—A. I mentioned that in the complaint which I lodged with Major MacKay.

And:

A.—There was an Indian woman brought to the hospital and when she went to the hospital she was told that the Indian agent had given instructions that no Indian was to be admitted to hospital as an emergency case.

Dr. MOORE: I might remark that I do not believe that statement. Such an interpretation could not be put on any departmental directive.

The CHAIRMAN: Then, Mr. Paull at page 901, said:

I asked for an investigation and Dr. Moore was in the office of the commissioner. I made my appeal for an investigation to both Dr. Moore and the Indian commissioner, Major MacKay, at the same time. Both of them were there and I handed each of them a copy of my letter and that letter will be available in Vancouver. Dr. Moore might even have it here.

Major MACKAY: I am not suggesting that the complaint is not valid but I cannot recall the details. Certainly I cannot recall a case of that character, but Dr. Moore says he recalls that a complaint was made to him, but just what the nature of the complaint was I cannot recall.

Do you recall anything about that now, Dr. Moore?

The WITNESS: I recall the evidence that was given, Mr. Chairman; I must apologize to the committee for not having checked up on this previously. I had intended to do it but I neglected to do it; but, as I say, I will get a complete statement regarding this. My memory of it is this: I remember Andrew Paull bringing the subject up and I remember going to Alberni and talking to the Indian agent.

*By the Chairman:*

Q. How many years ago would that be?—A. I think that would be in 1942.

Q. Five years ago?—A. Somewhere in there. And the facts, again speaking from memory, and the facts as reported here to the committee by Andrew Paull are not the same as we found at that time. There had been probably too abrupt action on the part of a doctor there. In dealing with these cases over a number of years due to lack of funds we were forced to issue instructions that normal maternity cases should not be admitted to hospital. If the doctor had any reason to suspect any abnormality or any trouble in connection with a maternity case they were to be admitted. I regret that I cannot recall just at the moment the whole story behind this incident.

Q. When will you have that report before us?—A. I will send telegrams away this afternoon. I will be out of town but Dr. Proctor will make it available to the committee as soon as we get a report back. Dr. Proctor is present now.

The CHAIRMAN: That can be done the first of the week. Is that agreeable to the committee?

Mr. REID: Now, in view of the complaints that I had when I was visiting the Indians last fall I wonder if you would explain to the committee the mechanics and how it operates when an Indian falls sick and is in charge of the Indian department and has to contact another department before he is admitted to a hospital; and then, tell us the mechanics of when an Indian is dismissed. Take Coqueleetza as an example. Tell us how the Indian agent is made aware that an Indian has been dismissed from the one department to the other. Now, that is most important, because I have had some plain statements made that it was not working just as simply as the doctor has told the committee. That is because there is so much red tape. The Indian is left on his own without them telling the Indian agent in the other department that he has been dismissed from hospital. Can you tell the committee the mechanics of that; to whom does he apply, to whom does he go; whether it is the hospital or the local agent. Give us the whole story of the routine for admission and the routine for dismissal from hospital, and how it is working out.

The WITNESS: In either of these types of arrangement I must stress that there is no difference now in the procedure than there always has been in my service time with the Indian Affairs branch of the Department of Mines and Resources. On any reserve there is somebody who represents the government, whether it is a clerk of the Department of National Health and Welfare or of the Department of Mines and Resources. The facilities vary on the different reserves. In some places it might only be the school teacher or the farm instructor or someone that we had appointed as a dispenser—

Mr. MacNICOL: When you say "we" who do you mean?

The WITNESS: The Department of National Health and Welfare—we will say the Indian health services had appointed a dispenser. Whoever was there would be responsible for getting word to the nurse or medical attendant. At many places it would be the Canadian health service nurse. If it is on a reserve where there is a responsible nurse it would naturally be her duty to make arrangements. On a reserve where the only government official was, say a farm instructor, the farm instructor would use his own judgment. If it is a serious case very often if people are able to be moved he will put them in his own car and take them either to a hospital or a doctor. If the patient is not able to be moved he will call a doctor to come. There certainly is no red tape in the way. These farm instructors have been using their cars. We pay them mileage for health services of that kind which they perform, I mean for transporting these patients. We are passing accounts of that kind every day. If it is a place where there is a doctor the sick Indian would himself probably arrange for the doctor to be called. If it is a case where there is only a part-time doctor in a nearby town he would be called directly. If there is a long distance involved, the doctor, due to past experiences with useless calls, might investigate before he goes. This is just another of those cases, one of them was brought to my attention this morning—the difficulties that some of our medical people are having regarding the reluctance of the Indians to supply their own transportation. They may have it well available and yet they will expect the doctor or the nurse to come and pick them up and transport them. We have had cases brought to our attention where the Indian had actually been at the hospital and gone home apparently feeling fine and then after a few hours travel would call and ask to be taken back to the hospital just because he had decided that he would



like to have the trip back and he would send for either the doctor or the nurse to have him brought back in. We are having cases of that kind up all the time. I was eight years on field work of this kind and I know something about what I am talking about. Let me again emphasize that there is no obstacle put in their way by the officials of either the Indian Affairs branch or the medical services of National Health. They have one object; that is, to make the best medical service that we have available to the Indian with the greatest ease. A farm instructor has just as much authority as either a doctor or a nurse; he has authority to call a doctor or a nurse and the doctors are instructed to respond. I think that answers the first part of your question.

Now, for the second part of your question: the superintendent of the hospital, regardless of who he is employed by, regardless of whether it is our hospital or the Vancouver General hospital or St. Paul's hospital; they are supposed to notify someone when the patient is ready for discharge. If it were at their Coqueletza hospital it would be the duty of the hospital superintendent, regardless of whether he is employed by Indian Affairs or Health and Welfare; it would be his duty to get in touch with the Indian agent about the patient; particularly in cases where the patient is not able to transport himself or is without friends to take care of him. It is the duty of the superintendent of the hospital to get in touch with somebody in authority and to make the necessary arrangements. All Indian agents across the country have books of transportation warrants that are sent out. Any Indian agent has the authority to give a sick Indian one of these transportation warrants which any transportation company will accept. When that comes to Ottawa, there is a space on it which gives the reason for travelling; if it happens to be a case of destitution it goes to Mr. Hoey's division and is paid from welfare; and if it is a case of sickness it comes to me and we pay it. It is just exactly the same as when we were under Mines and Resources. The Indian agent has the same book of warrants.

MR. REID: All I can say is that I hope it is working out well, but generally speaking two departments dealing with the same group of people usually creates lots of difficulties.

THE WITNESS: I think Mr. Hoey can confirm this, that the working arrangement we have has caused very little confusion or difficulty. There is a slight amount that has come up but I think that is more than offset by the added facilities that we have.

MR. REID: Mr. Hoey could probably say whether that was a fair statement or not.

THE WITNESS: He could give it to you much more clearly and precisely than I could.

MR. CASE: With respect to the venereal problem to which you referred on the Alaska highway, you would not have had nearly as good cooperation with the provincial authorities—I understand they are the ones who are principally concerned in dealing with a matter of that kind—would you?

THE WITNESS: Very probably it could have been arranged, but it would have been more difficult to arrange it. There is sometimes difficulty in getting the cooperation of the provinces. You see, the venereal control division of the provinces get a grant from the federal department.

MR. MACNICOL: Mr. Chairman, I am amazed beyond measure, absolutely amazed, at what the doctor has been saying about the Indian medical services. If the Indians have been getting that kind of treatment under their treaties they have not been getting any treatment at all. And I would like to know now who was the head of the Indian medical services branch when the whole of the service was under the Indian Affairs branch; who was in charge of it, Mr. Hoey?

Mr. HOEY: Mr. Chairman, when I came in in 1936 Dr. H. L. Stone, who now is supervisor of medical services for the province of Alberta, was in charge. He was designated as superintendent of medical services. Then Dr. Moore a few years later was brought in from the field as Dr. Stone's assistant. Then Dr. Stone joined the armed forces—that was in 1940, wasn't it, doctor?

The WITNESS: Yes.

Mr. HOEY: And then Dr. Moore took charge from then on.

Mr. MacNICOL: You have heard what Dr. Moore has told the committee, that a large amount of the educational work in the Indian Affairs branch is closely related to health and medical services. If things are so much better now under the Health and Welfare department, and I hope they are, then the medical service which has been available to the Indians in the past has been something deplorable. Someone must have had responsibility for the control and operation of the plant before it went over to this other department. Was the medical branch of your department entirely under your control? Surely its operation in earlier days must have left much to be desired if it is so much better run now under the Department of Health and Welfare. Have you any statement to make to the committee on that?

Mr. HOEY: As I pointed out the other day, I think it is only fair to the committee that this statement should be made. I was in charge of two departments in Manitoba in what was undoubtedly the most critical period in Canadian history. I went in 1927 and came out in 1936. You remember what those days were like in the province of Manitoba. I took a 25 per cent cut in salary plus a 2 per cent wage tax. Mr. Bryce well knows about that. And everything was simply cut to the bone to maintain the credit of the provinces. Now, fortunately for me, I was defeated in 1936 and I came down here; but, what were the conditions I found here in 1936? Civil servants took a thumping cut in their salaries; economies were effected in almost every branch of the public service in an attempt to maintain the credit of the dominion. The dominion government at that time were disbursing millions of dollars to maintain the credit of the western provinces, particularly in the drought-stricken areas where day schools—we talk about Indian schools being closed—where we had white schools closed (as Mr. Matthews well knows) we had white schools operated six months, eight months, but very few of them were operating ten months. When I came in here I remember very distinctly the first time I submitted my estimates for the welfare and training division and Dr. Stone submitted his for health services. Why, the tendency of the government, at times supported to some extent by the will of parliament, was retrenchment and economy.

The CHAIRMAN: When was this?

Mr. HOEY: From 1936 to the outbreak of war. That was the prevailing policy of the government; and I will go so far as to say that that policy was supported by substantial citizens of Canada. There are times when governments are called upon to retrench; and I do not want to pose as a prophet, but I think those days will come again when governing bodies, whether they be municipal, provincial or dominion, will have carefully to survey the whole administrative set-up with the object of reducing expenses and lowering costs. There is a point beyond which you cannot go in taxing the citizens of any country; particularly when you are a strip along the northern side of a very wealthy neighbour lying to the south. From 1936 to 1939 we were confronted with economy and retrenchment. We did not get the money necessary to launch a worthwhile medical program. I personally was the first man to approach Dr. Stone with respect to the establishment of a hospital in British Columbia. I said we have a school at Coqueleetza, a residential school; it is operated by the United Church of Canada and it is one of their oldest missions. There was a sentimental attachment there. I said that I was prepared to go to the United Church, to the



assistant secretary of the Home Mission Board—he is a personal friend of mine—and try to put up to him the desirability of abandoning that as a school and turning it over to your service as a hospital; and Dr. Stone worked on it and I worked on it, with the result that they finally abandoned the residential school and it was taken over by Dr. Stone as a hospital.

Mr. REID: And it is doing good work.

Mr. HOEY: Yes, it is doing good work. The site was suitable for hospital purposes but it was in the wrong location for a residential school, one of the reasons being that there were very few United Church children who could attend it in that locality. Well, we were just beginning to get our sea legs—and I am not seeking at this time to fix responsibility and I am not expressing any criticism. I think Dr. Stone and Dr. Moore during this trying and exacting period did all that was humanly possible to work the matter along. The war came along, and I do not need to tell a group of members of parliament that the regular services were just pushed into the background because of the importance and necessities of the war effort; and I think the government that pushed these services into the background in the interests of the war effort was carrying out the will of the Canadian people, or a majority of them; if they were not, at least I have never seen anybody stand up and say that they were doing wrong. I think they were supported by a majority of the people that the war effort should be given first place. And, in any event, that is the stand the government took which was supported by parliament. We could not get additional members for our staff. We could not get expenditures for the establishment of hospitals for the control of tuberculosis or other diseases.

Now we are emerging from the war period, we are just emerging. It takes time to get staff adjustments. It takes time to arrange your program to get approval by the minister. But with what are we confronted now? We are confronted with an acute shortage of labour, an acute shortage of materials. I have had an item in the estimates for I think three years now for the rebuilding of a school which was burned down some twelve years ago on the Caughnawaga reserve within eight miles of the city of Montreal. That school was burned down around 1940 or 1941. It is a deplorable condition. That school should have been rebuilt long ago. If you were in my place, or in the place of the minister, what would you do? We have sent out tenders for the erection of an R.C.M.P. barracks on the Six Nations reserve. We had advertisements inserted in every paper in that part of Ontario but we did not get one single reply, not one single bid. We finally removed the item from the estimates.

And now, the fact which I would like to bring home to this committee is this; that it is unsound to base policy on either a subnormal or abnormal period. You have got to face the facts. If the Indians did not receive the medical care to which they are entitled when that service was under Indian Affairs it was not due to the fact that the Indian services were under the Department of Mines and Natural Resources, it was due to circumstances over which the minister had no control, over which the doctor had no control; and first the depression and then the war effort and now the acute shortage of labour on the one hand and of building materials on the other. I do not care whether you keep the Indian services under the Department of Health and Welfare or bring them back under the Indian Affairs branch, the Indians are going to get a better deal because times are becoming more normal, building materials will become available in due course, skilled labour will be more plentiful and our program is going to proceed regardless of which department is administering it; for public opinion today on the Indian question is more aroused than it has ever been at any time since confederation. I know and you know that governments in a democracy move forward in response to the pressure exercised by an enlightened public opinion, and they are going to move forward in this case.



The CHAIRMAN: Thank you very much, Mr. Hoey. If I might refer the committee to page 66 of the 1946 report of Proceedings and Evidence where the Hon. Brooke Claxton presented a brief to the committee and in which he said:

8. The first attempt at an organized medical service was the appointment in 1905 of a General Medical Superintendent in the person of Dr. Peter H. Bryce, spoken of in the records as a "great humanitarian." He ceased to be employed about 1910 and there was little in the way of organized health services until after the first great war.

9. About 1922 some travelling nurses were appointed, but it was in 1927 before there again was an organized service with a Superintendent in Ottawa. Col. E. L. Stone, C.M.G., M.B., who for several years had been medical attendant to the Indians of the Norway House agency, was appointed Superintendent of Medical Services at Ottawa. Col. Stone had scarcely begun to get his organization together when the depression of 1929 swept the country. This resulted in a sharp curtailment of service in keeping with reduced funds. For example, Col. Stone was forced to issue an order that no cases of pulmonary tuberculosis could be hospitalized.

Then there follows a table which shows that the appropriation for medical services for the fiscal year 1879-80 was \$3,901; and that has increased in small amounts until in 1930-31 it was \$1,061,278; then it has risen steadily over the years since the depression, until for the fiscal year 1945-46 it was \$2,329,000. From that you will see that there has been a gradual improvement.

Mr. CASE: Mr. Chairman, that is a matter of record or evidence given by the Hon. Mr. Claxton. How long was he Minister of Health and Welfare?

The CHAIRMAN: He was the Minister of Health and Welfare at this time, that was in 1946. I think he came in in 1945. The records will show that.

Mr. CASE: In other words what you have there is a summary of the experience of the past, it is not a matter of the personal knowledge of the minister himself. I think it is very important that when we are dealing with a matter which has to do with a field service that we should have evidence from people who have a working knowledge in the department; we should have the evidence not only of history but of those who have had actual experience in the matter.

The CHAIRMAN: Well, we have this on record now.

Mr. CASE: That is what I mean. You are simply reading from the brief submitted by the minister.

The CHAIRMAN: And I pointed out to refresh the minds of members of the committee as to the evidence that has already been received.

Mr. MATTHEWS: That is a statement of fact.

Mr. BRYCE: Before we go further, Mr. Chairman; we have only about 55 minutes left. Some of the members of this committee have questions they would like to ask Dr. Moore and some of us have not had any opportunity of asking questions yet. I hope you will see that the time is divided up so that some of us other fellows can get in a question or two.

Mr. CHAIRMAN: I think that is fair and I have had that in mind. I will admit that I have been very lenient so far; I might say, unusually so.

The WITNESS: Mr. Chairman, may I make a brief statement?

The CHAIRMAN: Yes.

The WITNESS: If my remarks have been interpreted or are capable of being interpreted as a criticism of any former administration I sincerely regret that that interpretation has been placed on them. There was nothing further from my thoughts. I only want to look forward. I must say that at all times departmental cooperation has been excellent in either department. I probably should

not have spoken at all about certain things which are outside of my field. As for my own service, both myself and my officers are firmly convinced that we can do a better job in national health and welfare than we can in a non-medical department. We feel that all federal health services—that is the general feeling of medical officers engaged in government health work—will function best under one department. I will quote one example and then I will stop. At Churchill at the present time the Harbour Board employs a doctor seasonally. There are at least five other departments that are interested in getting some medical service there; and it is the proposal of the National Health and Welfare Department that we will appoint and keep a full time doctor to look after all the services including giving health services to Indians and Eskimos who are in such small numbers that would not justify a medical officer. Now, you may say, "Why cannot that be done by the Harbour Board doctor?" We find that it cannot. He is working for the Harbour Board and he looks on his services as those of a private practitioner when he condescends to go and see Indians and Eskimos, and we get a bill for \$100 or \$1,000 for services for a day or so. We have received a bill for almost \$1,000 for three days' services, which we did not pay.

The CHAIRMAN: From what department?

The WITNESS: From an individual doctor. But the other department would not say that this chap was on salary for one government service; his services would be for all government departments. That is our policy. I am working now straightening out salaries of medical officers in the Northwest Territories. Medical officers were put up there and paid meagre salaries. They augmented them by charging to the Royal Canadian Corps of Signals; the Department of Transport and the Northwest Territories administration fees for services over and above their salaries. What we have attempted to do is to raise those salaries to a decent range so that the doctors will work for the Department of National Health and do any federal government work. It has been beyond me to arrange these things under another department.

Mr. REID: I am sorry I have taken up so much time, but I am going to stop asking questions now. My questions are on the record and I am glad they are. They will be for the good of the entire committee. Mr. Bryce's questions are just as important as mine, so I am going to stop and leave the rest of the time to other members of the committee.

Mr. BRYCE: I hope you do not think that I was referring to you, Mr. Reid; I meant to divide the time around.

Mr. REID: I have been the one who has been occupying the time of the committee.

The CHAIRMAN: I do not think, Mr. Reid, that any apology is necessary. Mr. Bryce does not expect it.

Mr. BRYCE: No. I am sorry if I hurt Mr. Reid's feelings.

The CHAIRMAN: These matters have been of interest to Mr. Bryce and to other members of the committee and they could have been asked by any member. I think now that we can follow our regular routine allotting ten minutes to each member, if that is agreeable.

*By Mr. Farquhar:*

Q. We have all been interested in the answers brought out by Mr. Reid's questions, and the answers given by Dr. Moore are reasonable. I would like to ask whether the Department of Health and Welfare is taking over the hospital buildings which would include the maintenance of hospitals as well as the service?—A. Where we have taken over a building, yes, we take it over completely. The only buildings that have been taken over will be those that have been built for the Department of National Defence.



Q. Will they not be taken over now as the department is taking over that branch of the service?—A. Do you mean hospitals, for instance, that were formerly operated under the Department of Mines and Resources?

Q. Owned by the Indian Affairs branch. Health and Welfare has taken over the Indian health services branch and I am asking if they are taking over the buildings, which includes the maintaining of the hospitals?—A. Yes, that is correct. The order in council that provided for the transfer of these services also provided for the transfer of all the buildings and physical assets used by the health services. I think Mr. Hoey has some problems to settle, such as where there is a doctor and an Indian agent who live in a house, and where you will need two houses now. This would be the same under one department because we do not believe it is feasible to employ a doctor as an Indian agent. There is a full time job for either one of them, and both services would suffer. We need two houses now, but who owns the houses? Mr. Hoey's service or mine?

Q. That will relieve the Department of Indian Affairs of a large financial responsibility?—A. Yes.

*By Mr. Bryce:*

Q. When the fire took place at Norway House you were carrying out an experiment in nutrition; were the records lost?—A. No.

Q. Can you tell us for the record what the benefits from feeding with nutrition biscuits were as the result of that experiment?—A. Mr. Chairman, Mr. Bryce's question will have to be answered in two parts. Firstly, a number of years ago we started working with fortified biscuit that would give more of the protective foods to the children when supplied with them in the day schools. It had been the policy of the education branch to supply some of these biscuits which are somewhat similar to a sea biscuit. We started working with this biscuit and we developed a carrot biscuit with carrot as its base.

Now, with regard to your question about this investigation, and the information as to where the most marked deficiencies occur, may I say that vitamin A is one of the most pronounced deficiencies, and carrots are a very great source of vitamin A. In preparing this biscuit we used one-third by weight of raw pulp carrot. There were certain things added: iron, calcium, milk powder, brewer's yeast and other ingredients; so that a two-ounce biscuit contained practically a full day's supply of a number of these protective foods, and we supplied a formula, and the school branch bought thirty tons of this biscuit which were shipped to the various day schools, and which have been distributed for about five years. Is that right, Mr. Hoey?

Mr. HOEY: Yes.

The WITNESS: The use of the biscuit has met with great response. The school-teachers have written to say that they think they can see a difference in the children since they have been given these biscuits. We would like to recommend that the diet be further augmented by a milk drink. We recommend still further that the children be provided with a noonday meal. The practical thing would be a milk drink so they could get part powdered milk plus these biscuits.

Hon. Mr. STIRLING: How big is that biscuit?

The WITNESS: It is about three-sixteenths of an inch thick and about three inches in diameter and weighs approximately two ounces and is especially prepared to ensure keeping properties.

*By Mr. Bryce:*

Q. I have been told that it is fairly expensive. Could you give the committee any idea of the cost?—A. Of the investigation?



Q. No, of the biscuit.—A. I am not sure of recent figures; it is running about 18 cents a pound. Colonel Neary could tell you that.

COLONEL NEARY: It ran between 18 and 20 cents a pound.

*By Mr. Bryce:*

Q. There was only one firm made it; you never asked for competitors, did you?—A. Tenders were called in each case.

Q. You talked about the Norway House hospital. I know that hospital well myself, and there is the one at Tobique in New Brunswick. One has sixteen beds and the other has four beds. At Norway House the figure is \$2.43 per patient per day; what is it where there are four beds?—A. Speaking from memory, it is \$3.83.

Q. For small hospitals, what would be the most economical unit?—A. About fifty beds.

Q. There is one thing you failed to tell us, and that is that while Norway House has a sixteen bed hospital if you check into your figures you will see that they carry at least thirty-two to thirty-four beds the whole year round. They often have beds out in the corridors. It was a real fire trap if a fire had happened.—A. We know the conditions at that hospital and we regret them. The staff there have done an excellent job. Our nurses have worked long hours. There have been times when we have had only one nurse for forty patients and she was on duty for twenty-four hours a day. She caught a sleep when she could.

Q. I am referring to Manitoba. Have you made arrangements there that the Indians will be admitted to the hospital? I have a letter here which says that you were only paying \$2 at Portage la Prairie and that an Indian could not get in there. I might quote a little bit from a letter I have here from a doctor in Manitoba:—

I was called to an Indian shack thirty-five miles from my home. I had great difficulty in locating the shack but finally found the patient about two miles off the highway.

The shack was about ten feet by twelve. In it were the father, mother, five children, and a sister of the mother. There was no water except melted snow water which had an inch of scum on top. One bed and a makeshift cot was the entire furnishing. The place was heated by a small tin heater. Sanitation was extremely bad, with bugs and filth in every corner.

The mother had tried earlier to get into Portage hospital, and was refused because the government pays only two dollars a day.

I sized up the situation and put the mother in a sleigh then took her forty miles to the Portage hospital myself. Since a doctor had brought her, she was admitted. Later that afternoon she was delivered. The delivery was followed by a severe hemorrhage which would have caused the death of the mother had she remained in the shack where I first found her.

Now, has that situation been corrected? This happened in May of this year.—A. I was going to say as you were describing this place that we know that those conditions do exist.

Q. You could not live in Manitoba without knowing it.—A. In this article I have here we put in some pictures of shacks, with a picture of the interior of one and the furniture that is in sight. We published that. As regards the Portage la Prairie hospital, I think it was about 1941 or 1942 that we were paying the Portage la Prairie hospital—and this war at their own request—we were billed at \$2 a day plus extras which were ordinary hospital services. We entered into correspondence with that hospital and asked them to accept an inclusive

rate of \$2.50 a day. We worked out the number of accounts and we established the fact that they were receiving more money at \$2.50 over the year's business. Some controversy developed between ourselves and the hospital which was not brought to a satisfactory conclusion. At that time we had no field representative in the province and there had been a change of doctors due to the former medical attendant leaving—I do not know whether he went into the army or went into practice elsewhere—I think there was a change or two of medical officers right after that. The Indians were being admitted, although there was some dispute with the hospital. The thing never came up again until this year. The hospital never wrote to us and asked us for a different rate. It was carried on by sending us a bill and our fixing the sum at \$2.50 a day. But since this time—about March—we instructed our regional superintendent to visit Portage la Prairie and interview the hospital board and to try to work out a satisfactory recommendation which we would meet.

Q. From what you say now I can be assured that if an Indian goes there and needs attention he will get it?—A. Yes, he will get attention. There were cases—just to keep the record straight—the Portage la Prairies hospital refused to take and they were taken on to Winnipeg.

Q. This was a maternity case. Maternity cases can still go to Portage la Prairie?—A. Yes.

Q. Would you tell the committee what you think about matrons whom we have at residential schools? Do you think it would be an advantage to have them also, and trained nurses?—A. In my brief I recommended that there be a nurse in every residential school whether the salary was paid from the health vote or from the school vote. I think there should be a fully qualified nurse in every residential school. I think that the nurse should be responsible to the health services and not to the school principal. Now, that same statement would apply to either Indian Affairs or National Health. I think the nurse who is looking after that school should be directly responsible to the doctor.

*By Hon. Mr. Stirling:*

Q. Would the matron have no say?—A. You mean the matron of the school? She certainly would have every say except with regard to health matters; but I think when you are dealing with matters of health, the health people should make the decisions and that it should not have to go through two or three intermediaries. If a person's family is sick they want a doctor, and they want the doctor to act. They do not want to have to consult the owner of an apartment block or a street car conductor or several other people until action is taken. That is the point I am trying to make in saying that the nurse in the school, as far as health is concerned, should be directly responsible to the medical officer and not to the school authorities.

*By Mr. Bryce:*

Q. Coming back to the hospital again, I was asked a question by a clergyman in this room. Your department only paid \$1.25 per patient in some hospitals while you paid \$5 in others. I think you have pretty well explained that matter because in some of these hospitals where you pay \$1.25 they would not have a doctor. I think that is the answer to that question. That is the reason you pay only \$1.25 but you pay other grants as well?—A. The reason for that arrangement being made goes back to the fact that there were a whole series of so-called hospitals established—they are not hospitals, but we will call them nursing stations. They are being brought into existence in various remote parts of the country where it was impossible to supply medical services. The patients were encouraged to enter those places and they were being kept there. Some of those places were not even in charge of a trained nurse. We were being asked to pay hospital rates and they were being paid. We were paying as much in



some of these places as in a hospital such as Ottawa Civic. There seemed to be a great tendency for these institutions to expand, and at the time the situation was explained to the minister and he issued a directive that these places which could not qualify for a licence as a provincial hospital should be paid only \$1 per day for children under sixteen and \$1.25 a day for adults. That rate has since been raised to \$2 a day.

Q. When I asked you the question about the different hospitals you were going to read me a report about the Tobique hospital?—A. I was going to corroborate the cost of \$3.83 per day that I quoted from memory. As far as Tobique hospital is concerned, it is not properly called a hospital; it is a nursing station, and it was provided originally as a residence for school-teachers plus a nursing station where they could take in a few patients.

The CHAIRMAN: How many people live there?

The WITNESS: I have not the accurate information. There are about seven or eight sisters who live in the building; one of those sisters is a nurse. Some of them are teachers, I think.

Mr. BRYCE: It was originally built as a residence—a nursing station?

The WITNESS: Yés, combined.

Mr. BRYCE: I thought it was a hospital.

The CHAIRMAN: I thought it was a hospital, too.

The WITNESS: It has always been used as a teacherage.

The CHAIRMAN: They have a qualified doctor there, have they not?

The WITNESS: No. I was answering Mr. Bryce's question. No, the beds are not always full. They have not a full time doctor. He is a part time doctor who practices in Perth, I think.

Mr. BRYCE: Mr. Chairman, I have taken twelve minutes, so you had better let someone else ask questions.

*By Hon. Mr. Stirling:*

Q. Doctor, you described a biscuit which contained vitamin A and then you said that you would like to see the children get a midday drink of milk or even a meal; would that be in addition to family allowances?—A. There are a number of scientifically conducted studies underway with regard to the value of a proper noonday meal for school children. There is a very instructive pamphlet written by Sir John Boyd-Orr which the schools branch circulated to various teachers and officials. It is known as "Nutrition and Psychology" and it states from experiments conducted by Sir John Boyd-Orr that in comparative schools with comparative children there were a number of factors that were definitely improved when proper nutrition was ensured even with children of the intermediate economic group. The only way we can ensure proper food for children is by this noonday lunch or meal. The Canadian Red Cross are at the present time running a very extensive survey in the city of Toronto on this subject, and all the evidence points to vast benefits being derived from a full noonday meal for children attending school, and given at the school.

Q. How beneficial do you find the family allowance is? In other words, is it being properly used for the purpose for which it is intended of adding to the care of the Indian children?—A. Well, every report that we get from across the country pays tribute to the benefits being derived by Indian children from family allowances. When it was first known that family allowances were going to be extended to the Indians, Mr. Hoey and I worked out a program which was adopted by his service or later expanded into the family allowances' division of the service administering the family allowance to Indians. Indeed, Indians were placed loosely in various categories whereby an Indian who was sufficiently advanced to handle his own affairs got his family allowance cheque the same as anyone else. The intermediate category took in people who needed some



guidance and the Indian agent administered the funds for them. In the third group were the more primitive people and in that case lists were prepared in which we specified only the things that would be supplied under family allowances. The money is not sent to the Indian at all; credit is established at his trading post where he goes to purchase his supplies, and that trading post manager may issue only certain specific items. There items were selected with great care. The Indian can buy powdered milk products, he can buy cereals, he can buy baby foods and tomato and fruit juices—items which are nutritionally good—but he is not allowed to buy staples such as flour, lard and tea. Those things should be a matter of relief, not children's allowances. They can buy underwear, rubbers, children's clothing, layettes. This policy has worked out very well, and I think it has to a large extent ensured that this money is being spent for the purposes for which it was intended.

Q. I saw it stated the other day—with what truth I do not know—that they were going to be permitted to buy outboard motors in certain instances where the people are fishing people?—A. That is a policy that has been followed more, I think, in the Northwest Territories administration than in Indian Affairs. They feel that if they make a hunter well equipped to get supplies of native food they are doing more for him than by issuing store supplies when freight rates are so high. That can be arranged in the Indian Affairs administration also where the special need in a family for food is not as important as for equipment. Through application and arrangement this stuff may be issued, but it has to be carefully investigated before. That is substantially correct, Mr. Stirling.

*By Mr. Harkness:*

Q. I have not been in attendance on another committee for the last two or three days and I do not know what questions have been answered, but I have one or two questions to ask in connection with hospitals in Alberta. Have the Blackfeet at Gleichen made application for you to take over their hospital and run it or are they going to continue to pay for their own doctor? I understand that they were going to try to get out of that obligation.—A. They made an application. They have to vote the money through their council to operate the hospital. We have always directed the hospital. The staff of the hospital are civil servants although paid from band funds. Supplies and so on for the hospital are purchased in the usual manner through the departmental purchasing agent. This year they refused to vote money for the operation of the hospital. We corresponded with them. I took objection to it. We pointed out they were one of the richest municipalities in Alberta, and we did not think it was fair of them to ask the taxpayers to assume their medical costs, a band that has almost \$3,000,000 in band funds among less than 1,000 people, and to whom the government is paying 5 per cent interest on their band funds. The result was they retracted their decision not to pay their costs. I bring this to the attention of the committee as an example and ask that in the revision of the Act that some attention be given to this problem of whether or not an individual or a band wealthy enough to pay their costs should not be made to do so. In my opinion they should.

Q. They are going to continue?—A. They have agreed for this year.

Q. Then as far as the Stoney reserve is concerned I understand you have had a doctor from Cochrane acting there on a part-time basis but that has been ended. Is there going to be a doctor stationed at Morley or is it going to be served by a doctor in Calgary?—A. The present situation is that Dr. William Barr Murray was the medical superintendent of the Stoney Indian reserve, and also Indian agent. He resided on the reserve in the only residence available. He was granted leave of absence for military service. We have had various arrangements during his time of military service. He returned to our service,

and as I have mentioned on various occasions we have found it does not work to have a doctor as the Indian agent, too. He is not prepared to advise them on farming and carrying on their affairs the same as a man who has made that his field of work. The work he does on that side causes him to neglect his medical work.

We have only one residence at Morley. We have been carrying on with this part-time arrangement and employing Dr. Murray elsewhere. There is some movement under way whereby a number of these people are going to be settled elsewhere. Until that is clarified we do not want to build. We are going to have Dr. Murray reside in Calgary and make four trips a week to Morley and two trips to Sarcees. The nurse in the hospital will be at Morley. If there is any emergency arising and she cannot get Dr. Murray she can call the nearest doctor, anybody she can get. That is the way we are carrying on for the time being.

Q. One reason I have asked that question is that the people at Cochrane have complained over the fact the use of the man there as a part-time man was being discontinued which they felt was going to cause him to move because he did not have enough practice in Cochrane without the Indian practice to justify him remaining there. They were very anxious that the arrangement should be continued. I wondered whether there was any chance it would be.—A. It would be very difficult. This is Dr. Murray's position. He owns a house in Calgary. The housing situation enters into these matters if we try to put him some place else. It would be very difficult to arrange. In fairly recent times there has been representation from Exshaw. They want to get some support for the doctor there.

Q. Are you having much difficulty now getting tubercular Indians to go up to the hospital at Edmonton? At one time there was some considerable disinclination on the part of the Indians to go so far from home to enter that hospital. I wondered if that had been overcome?—A. I do not think there is a tribe of Indians living in the civilized section of the country where the influence of the old native medicine man is as strong as it is among the Stoney Indians at Morley. There has been a great disinclination on the part of the Indians to accept the white man's medicine. We have had that nice little hospital there for a number of years and a lot of the time it is empty. We were not able to persuade the Indians to come in and accept treatment.

Q. The hospital at Morley?—A. Yes, at Morley right on the reserve. There has been a strong inclination not to go for treatment. I think that is gradually being broken down. There are a number of Stoney Indians now at the Charles Camsell hospital. We seem to have broken the ice and the Stoneys seem to be fairly well satisfied with our Edmonton hospital.—Q. I was thinking not only of the Stoneys. I was thinking also of other Indians. I know there were some people who had tuberculosis and it was very difficult to get them to go up to the hospital.—A. There is always a disinclination on the part of either the Indian or the white man who has tuberculosis to accept sanatorium treatment. It is a long arduous sentence he has to serve. We believe in compulsory treatment where necessary. We think we should exhaust persuasion first and then have the authority to compel them to enter for the protection of others.

Q. I think I understood you to say previously at some time that there is now a nursing station with a nurse at Hobbema. That is correct?—A. Yes.

Q. How do those people get the services of a doctor? There was a considerable amount of complaint over the fact the doctor went there only once a week from Wetaskiwin, and if there were 20 Indians and he had time to look at only 10 the other 10 did not get any attention. They have complained about that on numerous occasions. Is that problem solved yet?—A. Yes. There was considerable dissatisfaction with the medical service there. The doctor in Wetaskiwin had the work on a part-time basis. He was very busy. He was



overworked. There was a shortage of doctors in the town. The only response he would make to us when we complained to him was that all his patients were complaining and he was giving the Indians a fair share of his time. The rest of it had to be done by the nurse who would take her car and collect these people and take them to the hospital in Wetaskiwin, which is overcrowded, or to the doctor's office. It was not a satisfactory service. We have now appointed a full time doctor for that agency. We have not been able to find a place for him to live. We have not been able to build him a house. He is living in Edmonton at the Charles Camsell hospital but he goes out every day to the reserve and a number of patients are brought back to Edmonton for treatment.

Q. That situation is fixed up pretty well?—A. It is improved. It will be better still when we get him a residence either at Hobbema or Wetaskiwin.

*By Mr. Matthews:*

Q. I should like to ask Dr. Moore if he has found any tendency on the part of some hospitals to charge more for government service than they do for private service patients who are on their own? Do you know if that has arisen sometimes?—A. Oh, it has arisen before now that I can recall. It has not been much of a problem lately. We have not raised our rates as fast as the hospitals have raised them, and consequently in many instances they are asking private patients to pay more than we pay.

Q. Mr. Farquhar mentioned a matter that I want to follow up. I refer to the hospital at Brandon which you know about. I do so because I assume it illustrates some others. It was erected and then operated for a time by National Defence and then D.V.A. and then your department. I understand it is now under the sanatorium board of Manitoba. Who owns those buildings?—A. They were transferred by order in council to the Department of National Health and Welfare. The official minute has still to come through from the War Assets Allocation Committee but it was directed by order in council that they award those buildings to the Department of National Health and Welfare.

Q. In all probability you will retain control?—A. Yes, this agreement with the sanatorium board is that they will staff and operate the hospital for us on a per diem basis.

Q. Do you own or will you own the land?—A. We are at present negotiating with the City of Brandon for this land. We asked them for a purchase price and they, I think, are somewhat reluctant to sell because federal property is not subject to taxation. They have countered us with an offer of an annual rental which would be what they consider the annual taxes would be.

Q. Then, who is responsible for the upkeep of the building?—A. The Department of National Health and Welfare.

Q. How many beds are there, do you recall?—A. The hospital can accommodate up to 240 patients.

Q. Now, what type of patients are supposed to occupy those beds, Indian patients mostly?—A. The treatment will be confined to the treatment of tuberculosis and tubercular Indians will be given a preference. We will use every bed necessary for Indians up to the capacity of the place. At present, these tubercular Polish immigrants are housed there. I think we have it down to about 40 now.

Q. About 30, I think?—A. We have agreed to look after them. There will be sufficient beds available. The D.V.A. has asked us if we would allow tubercular veterans from the Brandon area to be housed there. We have agreed to that provided the beds are available. Ordinary citizens of the area, if they wish, will be hospitalized there. We will work out the necessary financial transaction with the province.

Q. Is the staff under your department or the sanatorium board or the provincial civil service?—A. Under the sanatorium board of Manitoba.



*By Mr. Lickers:*

Q. Does your department recognize provincial health laws of the province as applying on any reserve?—A. The regulations of the medical service which were put on the record provided by section 5, paragraph (d).

Unless otherwise provided for in these regulations, the regulations of the department for the control of communicable disease among Indians on any agency shall be the health regulations of the province or territory in which the agency is situated.

Q. Then supposing, say on the Blackfeet reserve, in view of the fact they are paying all the hospital costs, what control would your department have over the personnel in the administration of that hospital? Supposing the Blackfeet took out a provincial licence to operate a hospital?—A. Supposing the Blackfeet did that, you mean?

Q. Yes.—A. The arrangement is that where a band are paying these funds, they are paying only the cost of the administration. We run the hospital and the medical services for the reserve just the same as we do in any other case. They provide funds whereby they meet the costs involved.

Q. I was just going by your statement that you asked the committee to take under advisement the matter of any tribe with sufficient funds paying all their own medical expenses. Now, in a situation of that kind, supposing on any one reserve a provincial licence to operate a hospital is taken out. Then, what provision would you have in connection with the administration of it?—A. Well, the regulations for the control of disease would be just the same as, for instance, in a municipality in which the medical costs are paid by the municipality. Just because the municipality is paying, that does not override the authority of the provincial Department of Health.

Q. What you have then is a conflict between the provincial authorities and the dominion regulations?—A. No, because we have provided for that in our regulations. The provincial health laws are usually very carefully thought out to meet the conditions for that particular province and are probably about as good a piece of legislation as anything we could devise, so we would use the provincial ordinances.

Q. Then, supposing some band of Indians took out a provincial licence to operate a hospital. What would you suggest in connection with the personnel as to whether they would be civil servants or not?—A. I would recommend that they be civil servants under the control of the department.

Q. Where the whole thing is financed by the tribe, would you then suggest that all the personnel of the hospital be civil servants?—A. I think so.

Q. Who would have control? Supposing they also appointed a hospital board. Would not the hospital board have any authority in connection with hiring or firing of the help?—A. Well, it would have to be a special arrangement if that were the case. If they had any reason for recommending a change of officials, we would certainly have to act on it. I think it would be a disadvantage to the hospital itself if the staff were not civil servants. The salary which can be paid to a salaried position cannot compare with what a person can make in practice. The only incentive to take this salaried position is the security provision and the leave privileges you get as a civil servant.

*By the Chairman:*

Q. Let me understand this; if any particular reserve wanted, on its own, to build a hospital you would have no objection to them so building a hospital? They would pay for it themselves?—A. Quite.

Q. Then, they would man it themselves. You say that those nurses should be civil servants?—A. I would recommend it, but I would have no power to enforce it if the Indians wished to do it on their own.

Q. We are thinking of this as a recommendation. We, as a committee, are strongly of the opinion we should try to encourage the Indians to assume more responsibility to help themselves. We are trying to help them to help themselves. Now, under those circumstances, would you think it would be advisable that the nurses should be civil servants?—A. Yes, I would think so.

Q. Then, by the same reasoning, all nurses in all hospitals should be civil servants?—A. Not necessarily. Let me make a distinction. We are going to assume the responsibility for general health conditions—

Q. We do not want to do that. We want to have the individual supreme. We want the individual to assume his own responsibility and when I say "individual" I mean individual reserve. We want them to help themselves the same as any other incorporated municipality. At least, I feel that is the opinion of the committee.—A. I follow your reasoning and I will answer it by drawing a comparison with the municipality—I don't know the name of the municipality up near Arnprior. Now, they built a hospital and formed a local hospital board by means of which they had full control. They could hire and fire as they saw fit. To carry out the comparison, I think that could be applied to an Indian reserve provided the Indians were sufficiently advanced to undertake the full operation of a proper hospital and the employment of a proper staff. So I might change and say I would recommend against that; but I would still recommend that we have more control on health with that. The provincial governments still maintain their health services and the provincial public health nurses and the health officers; and through them they enforce health conditions.

The CHAIRMAN: If the government is going to pay for the establishment and maintenance and operation of any institution they should control it; I agree with you there. But if on the other hand the Indians will assume the construction, operation and maintenance of an institution I should say they should have absolute and full control.

The WITNESS: In any of these recommendations I have made I have made a distinction between ordinary hospitals and communicable disease control. And now, with the Blackfeet we are not asking them to pay for the hospitalization of their tuberculous cases, we are offering them free hospitals. And we send clinics there, we send public health nurses there to visit homes on various public health matters which are not paid for by the Indians. We intend to ask the bands to contribute towards their salaries.

*By Mr. Lickers:*

Q. The province used to pay us for that in any event.—A. Yes, and we try to follow that same pattern.

Q. Are you having much difficulty fixing rates for the hospitals?—A. Yes.

Q. Where the rate is fixed do the Indians still get the same treatment as anyone else?—A. Yes. We insist that the Indians get the same treatment. We objected strongly when they start talking of separate wards for Indians.

Q. Until the rate is fixed some hospitals are not going to take Indians; what would you do then?—A. In one or two instances it has been necessary to hospitalize them elsewhere. I have in mind one case in Portage la Prairie where some Indians were refused admission and we took them on to Winnipeg.

Q. Is that attitude general?—A. No, it is not. I can only recall two places where there has been discrimination. There is a place in southern British Columbia where they have told us they would not take Indians. We offered to pay \$4 a day for the patient. That is a reasonable price for a hospital having the facilities available there.

Q. Do they think that that is a reasonable price?—A. No, they want about \$6.

Q. Apparently you are readjusting rates right across Canada?—A. We are trying to.

Q. If a hospital is not satisfied with the rates you are offering naturally they will not give the Indian the service they would ordinarily give to any other patient.—A. I think it does not work out quite that way. I would think that when a patient goes to a ward in a hospital he is a patient, the financial arrangements are done in the front office. The front office does not have much say as to what happens up in the wards.

Q. In one instance, yes. If the patient does not pay his hospital bill and goes back to the hospital again, that is where the difficulty arises in connection with service.—A. Our experience is that once a person is admitted the treatment is the same.

Q. Who appoints the doctors at the residential schools?—A. The Indian health service.

Q. You say you are not getting cooperation from the residential schools operated by— —A. That is a general statement. There are many places where we get the fullest possible cooperation; but there have been instances where we have not.

Q. I suppose the only way in which you could get 100 per cent cooperation would be for the Department of Indian Affairs to take over the total operation?—A. That would eliminate the dual control.

Q. You mentioned plans for nursing stations out in the remote areas; and in the development of that plan are you cooperating with the Department of Indian Affairs in connection with, let us say, education, so that you would have the teacher and the nurse use the same staff building?—A. We are co-operating to the fullest possible extent. In some places the buildings are occupied jointly. We are working together as closely as possible. We have gone even further and we are doing the same thing with the provincial services.

The CHAIRMAN: And I assume by that you mean educational and nursing services provided by the provinces?

The WITNESS: Educational, nursing and, for instance, the game and fisheries people. As an example I might tell you that one of these points under this remote operations plan I have already arranged to put in a lighting unit for the whole area and they are supplying the radio. We supply the light and power and they supply us with the radio apparatus to be used at that point.

The CHAIRMAN: That is interesting.

*By Mr. Lickers:*

Q. What is the cost of building or constructing and equipping a hospital, say, per bed?—A. It is terrific at this time. I have heard as high as \$1,100 per bed quoted. It averages about \$800.

Q. I suppose the price depends on the facilities?—A. Yes. I would say at the present time that it varies between \$600 and \$900.

Dr. FALCONER: It costs as much as \$8,000 in some cases.

The CHAIRMAN: Per bed?

Dr. FALCONER: Yes.

*By Mr. Lickers:*

Q. In connection with the per diem cost of operating hospitals on a per patient basis, do you include in the figures you gave us the other day the cost of the construction of the building and the amortization of the capital?—A. There is nothing included in those costs to cover insurance, depreciation or interest on capital charges.

Q. So that if those were included your cost of operating a hospital would be about the same, would it, as for an ordinary hospital in a municipality?—A. As far as we have been able to judge, making allowance for those items mentioned, we still think we can operate our hospitals for less.



Q. How much less would you say, on a percentage basis?—A. Oh, I would think about 25 per cent would be a fair estimate; and there is a reason for that; we do not, for instance, require an elaborate system of bookkeeping for keeping the records of private patients as private hospitals do. We do not provide the private patient services with special facilities catering to individual cases that you have to provide for private ward patients and so on. We have one type of treatment for everybody and that is more economical.

Q. So that your plan for the future is wherever possible, where the population is such as to warrant it, your plan is to build hospitals rather than to continue paying out to, say, private hospitals or provincially operated hospitals?—A. Well our programme of building would be confined to areas where there are no facilities available. If adequate hospitals with suitable bed space were available we would never undertake construction, particularly not at the present time.

Q. Yes, I appreciate that; but I was thinking of the future, say, when the construction picture becomes considerably improved; and would it then be the plan of the department to construct hospitals where they are needed?—A. We would not recommend duplication of any existing services, but, where services do not exist, we would recommend supplying them if there were sufficient Indian population to warrant it.

The CHAIRMAN: Now it is 1.00 o'clock. Dr. Moore is leaving now, but on behalf of the committee Doctor, I want to thank you very much for your cooperation in coming before the committee and giving us this very valuable information and evidence. I think it has been very valuable to the members of the committee and your frank statement of the facts has been more than appreciated.

We will meet on Tuesday at 11.00 a.m., the room number will be notified, and the steering committee will meet at 5.00 p.m. to-day.

The meeting adjourned at 1.05 p.m. to meet again next Tuesday, June 24, 1947, at 11.00 a.m.















SESSION 1947



# SPECIAL JOINT COMMITTEE OF THE SENATE AND THE HOUSE OF COMMONS

APPOINTED TO CONTINUE AND COMPLETE THE EXAMINATION  
AND CONSIDERATION OF THE

## INDIAN ACT

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MINUTES OF PROCEEDINGS AND EVIDENCE

No. 38

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TUESDAY, JUNE 24, 1947

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WITNESS:

Mr. R. A. Hoey, Director, Indian Affairs Branch, Ottawa

OTTAWA  
EDMOND CLOUTIER, C.M.G., B.A., L.Pb.,  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
CONTROLLER OF STATIONERY

1947



## MINUTES OF PROCEEDINGS

House of Commons,  
Tuesday, 24th June, 1947.

The Special Joint Committee of the Senate and the House of Commons appointed to continue and complete the examination and consideration of the Indian Act (Chapter 98, R.S.C., 1927), and all such other matters as have been referred to the said Committee, met this day at 11 o'clock a.m.

Presiding: Mr. D. F. Brown, M.P., Joint Chairman, and later The Honourable W. H. Taylor, Joint Chairman.

### *Present:*

*The Senate:* The Honourable Senators Fallis, Macdonald (*Cardigan*), Robicneau and Taylor—4.

*The House of Commons:* The Honourable Mr. Stirling and Messrs. Brown, Blackmore, Bryce, Case, Castleden, Charlton, Farquhar, Gibson (*Comox-Alberni*), MacLean, MacNicol, Reid—12.

### *In attendance:*

Mr. R. A. Hoey, Director, Indian Affairs Branch; T. R. L. MacInnes, Secretary; B. F. Neary, MBE., Superintendent, Welfare and Training; G. Armstrong, Welfare; also, Mr. W. J. Ford Pratt; also, Mr. Norman E. Lickers, Barrister, Counsel for the Committee and Liaison Officer.

Mr. Bryce presented the Eighth report of the subcommittee on agenda and procedure. (For text, see Minutes of Evidence).

On motion of Mr. Bryce, it was

*Resolved:* That the Eighth report of the subcommittee on agenda and procedure be adopted.

The Chairman read a letter from the Corporation of the Town of Cochrane, Ontario, and the secretary of the Cochrane Board of Trade inviting the Committee to "visit Cochrane for the purpose of studying the problems of the James Bay Indians".

On motion of Mr. MacNicol, it was

*Resolved:* That this invitation be acknowledged with thanks but with regrets that owing to the imminent end of the session it will not be possible for the Joint Committee or even a portion of it, to visit Cochrane.

Mr. Case moved: That the subcommittee on agenda and procedure consider the advisability of arranging for a small subcommittee to visit James Bay, either during the session, or during the recess.

And the question being put, it was declared lost.

Mr. R. A. Hoey, Director, Indian Affairs Branch was called, made a statement and was questioned.

The Committee adjourned at 1 o'clock p.m., to meet again Thursday next, 26th June, at 11 o'clock a.m.

T. L. McEVOY,  
*Clerk of the Joint Committee.*





## MINUTES OF EVIDENCE

House of Commons,  
June 24, 1947.

The Special Committee of the Senate and the House of Commons appointed to examine and consider the Indian Act met this day at 11 a.m. Mr. D. F. Brown, M.P. (Joint Chairman) presided.

The CHAIRMAN: Mr. Bryce will read the eighth report of the subcommittee on agenda and procedure.

Mr. BRYCE:

### EIGHTH REPORT OF SUBCOMMITTEE ON AGENDA AND PROCEDURE

24th June, 1947.

#### *I. Notice of motion given by Mr. Castleden on June 19, 1947*

Your subcommittee is of opinion that, in view of the length of time required to collect and collate the information with regard to qualifications of all Indian school teachers, it will not be possible to have the return before the end of the present session.

Your subcommittee, therefore, recommends that the request be forwarded to the Director of Indian Affairs Branch, in order that the required information may be compiled and be available for any committee appointed in the 1948 session to deal with Indian affairs.

Your subcommittee further recommends that if any member of this committee needs any information with regard to our order of reference, his request for the information should, as soon as possible, be filed as a notice of motion; and the Director of Indian Affairs Branch will be asked to have the return available for the 1948 session.

#### *II. Request of some executives of North American Indian Brotherhood.*

Your subcommittee has considered a request signed by some "executives of the North American Indian Brotherhood" that:

the joint committee name and authorize the appearance of nine Indians: three from the Western area; three from the central division; and three from our Eastern part; the selection to be from Indians who have appeared and given evidence to the joint committee . . . to be in attendance when any further evidence . . . from others than members of various Bands, including officials of the various government departments is heard by the joint committee.

Your subcommittee is of opinion that, as your committee has not proposed to hear any further evidence this session, the receipt of this request should be acknowledged and the signers advised accordingly, with the suggestion that should the North American Indian Brotherhood name and authorize representatives to attend public sessions of any 1948 committee on Indian Affairs, they could attend at their own expense. The attendance of representatives from other organizations of Indians, under similar conditions, should also be accorded.

Mr. REID: I have only one comment to make with regard to this report.

The CHAIRMAN: Just a moment. Does Mr. Bryce move the adoption?

Mr. BRYCE: Yes, I move that.

Mr. GIBSON: I second that.

Mr. REID: I have one comment to make. If you send out what is set forth here in reply to the Indians' request it may very well be they would take this as their right to attend, meaning their right to appear and speak before this committee. I am not sure whether the subcommittee or this committee consider whether, if Indians appear here before a committee next year, they will be heard, but I am drawing attention to that point. We understand fully what the word "attend" means, but if the Indian is told that he can attend here he may well think, "if I can attend I am going to be heard." I think, therefore, if it is not the intention to hear them it should be made plain when communicating with them.

The CHAIRMAN: I think you are quite right. I want to thank you for drawing that to our attention. The letter which will go to this Indian organization will clearly state that. I believe that no person other than a called witness has the right to speak to a committee. In the event that Indians did attend here they could make their wants known through one or more members of the committee, but as of right, this being a parliamentary committee, they would have no right to come here and take part in the discussions of the committee.

Mr. REID: It is merely that I do not want any misunderstanding because in the request from these executive of the North American Indian Brotherhood they are asking to be heard by the joint committee. If your answer is that next year they will have the right to attend they may interpret that as acceding to their request for the year 1948.

The CHAIRMAN: Now that you have drawn it to the attention of the committee this will go out in the reports of the proceedings of this committee and it will be clear to all that if they do want to attend—and we welcome their attendance—they will have no part in the discussions of the committee.

Mr. CASTLEDEN: Do I understand from this that in case any member of the committee wanted to ask these Indians a question with regard to any evidence presented before the committee they would not have the privilege of answering?

The CHAIRMAN: You understand so far as a committee is concerned the committee is the sole judge as to the right of calling further witnesses. The plan was adopted last year and carried out this year that the evidence to be received will be completed this year. Next year we will proceed with the revision of the Act. If, of course, the 1948 committee in its wisdom decides to change that procedure that committee will do so.

Mr. MACNICOL: I have one question with reference to something you said there about the evidence being completed this year. With that I agree, but we have not had any Indian agents before us yet.

The CHAIRMAN: Yes, we have. We had Mr. Larivière. We had the man from St. Regis, Mr. Bannah.

Mr. CHARLTON: And Mr. Gooderham.

The CHAIRMAN: He was an inspector.

Mr. CHARLTON: If, as Mr. Castleden says, we have these Indians here would we not lay ourselves open to having to pay their expenses if we ask them questions and they are required to answer them?

The CHAIRMAN: Not if they are sitting in as spectators as any member of the public has the right to do. Even members of parliament who are not members of a committee have no right to come and take part in the discussions of a committee. Of course, we, as members of a joint committee of the Senate



and the House of Commons, may not even be on the Indian Affairs committee next year. We do not know. Is there any further discussion? Are you ready for the question? All in favour of the adoption of this report? Contrary? Only Mr. Castleden. Anyone else contrary? I do not know what your objection is, Mr. Castleden.

Mr. REID: Then it is contrary to a part of his own recommendation. To what part is he objecting?

Mr. CASTLEDEN: The second part only.

Mr. REID: Then he should state that. He just said "no, contrary".

Mr. CASTLEDEN: I would be very pleased to state my position.

The CHAIRMAN: You do not need to stand.

Mr. CASTLEDEN: The request of the Indians to appear at the time when any evidence is being heard is a natural one. When the Indians were giving their evidence there were officials of the department here, and when their evidence is being presented to the committee it seems only right and proper that the Indians, who themselves are on these reserves, who are so deeply affected, should be—

The CHAIRMAN: Just a minute.

Mr. CASTLEDEN: I am going to state my position.

The CHAIRMAN: I do not want to waste the time of the committee on going over old straw.

Mr. CASTLEDEN: I was asked this morning if I would make a statement as to why I was opposed to the report. I am giving it. If you do not want it I will not give it.

The CHAIRMAN: Be as brief as possible. This is all old straw. We have been all over it. If you have any feasible idea as to having the Indians come here to sit in with watching briefs now is the time to give it.

Mr. CASTLEDEN: I was asked to give my reasons why I opposed this motion. At the request of one of the members of the committee I was going ahead to do so, merely stating that it was my opinion that if the Indians made a request to have representation here they should be accorded that representation and given a full opportunity. If they are going to be notified it is going to be at their own expense they could be so notified.

The CHAIRMAN: That is what is stated in the report.

Mr. CHARLTON: That is stated in the report.

The CHAIRMAN: Then I take it you are agreeable to this report? Are you agreeable to this report?

Mr. CASTLEDEN: There are certain parts to which I object.

The CHAIRMAN: What is the part, so that we may be clear on it?

Mr. CASTLEDEN: There is a request here by some executives of the North American Indian Brotherhood that they want to send representatives here so that they can be present at any time that any officials of the department or Indian agents are giving evidence.

The CHAIRMAN: We are quite content that they be here. Do you want us to go back over everything and hear all the witnesses again?

Mr. CASTLEDEN: That is ridiculous.

The CHAIRMAN: I agree it is ridiculous.

Mr. CASTLEDEN: I think they ought to be here so that they may be questioned, if necessary. We have not covered this matter completely. We have had very few Indian agents here. There have been a lot of charges placed before the committee with regard to the conduct of agents. If agents and other officials

are going to be here to be cross-examined by the committee I think it is only fair and right that the Indians who made the charges should be here and if necessary be available for questioning.

The CHAIRMAN: I quite agree with you we have not heard all the people who want to be heard, and we never could hear them if we were to sit here from now till doomsday. What we are trying to do is to get an Act which will be of help to the Indians. We will never do that if we are going to sit here and do nothing but talk about it.

Mr. FARQUHAR: I do not think we can decide that. The 1948 committee will have to decide if and whom they want to call.

Mr. CASE: I should like to make this observation. It seems to me that this committee is charged with a certain responsibility. We have listened to many witnesses. We have heard the case presented by many Indians. Our responsibility is to redraft the Indian Act. When we have the Act redrafted I have no objections then to submitting it to any Indians who may want to review it, but I do not think they are in a position to advise us with regard to all the evidence they have already put before us. That would be simply shirking our responsibility. The proper procedure is for this committee to get down to business and see what we can do with the new Act.

The CHAIRMAN: All in favour of the adoption of the report? You are still opposed, are you, Mr. Castleden?

Mr. CASTLEDEN: That is right.

The CHAIRMAN: We have now to consider a letter from the corporation of the town of Cochrane dated June 19 and addressed to myself as joint chairman.

#### THE CORPORATION OF THE TOWN OF COCHRANE

Cochrane, Ont.

June 19, 1947.

Mr. D. F. BROWN, Joint Chairman  
Special Joint Committee  
on the Indian Act,  
House of Commons,  
Ottawa, Ont.

DEAR SIR,—We the undersigned, clerk-treasurer of the Town of Cochrane and secretary of Board of Trade, have been requested by motion of council and Board of Trade to issue an invitation to your committee to meet jointly with the two bodies and to this end extend to you an invitation to visit Cochrane for the purpose of studying the problems of the James Bay Indians either as a full committee or through a group of members.

It would be appreciated if this invitation be accepted and a meeting arranged as early as possible.

Yours truly,

E. J. MacVITTIE,  
*Clerk-Treasurer.*

L. R. GUERTIN,  
*Secretary, Board of Trade.*

This matter has not been submitted to the subcommittee on agenda and procedure because it was felt it was a matter that should be considered by the committee as a whole. With the tremendous duties that are now confronting

members of parliament I do not know what your attitude will be with respect to the invitation at this time. However, I might point out that rule 610 of Beauschene reads:

Committees may be authorized by the House to adjourn from place to place as may be found expedient, or meet at a particular place, but no committee can sit after a prorogation.

In the event that you decide to accept this invitation we will have to report to the House asking that the committee be empowered to meet at Cochrane, Ontario.

MR. REID: This raises the question that I have had in my mind for quite a long time. You will remember that some time ago, on at least one or two occasions, I asked for a full report on the commission which travelled in the east. I would like to get a report on their expenses. It has been said that the government cut down on that kind of visiting because travelling expenses were too high. I am very sorry that there was not followed the policy adopted by the war expenditures subcommittees. They travelled the length and breadth of this country on a basis of \$12 a day.

It seems to me that somebody said that that subcommittee which travelled as a commission to the maritimes last year involved expenses of between \$6,000 and \$8,000. You will remember that at the beginning of the war we operated as subcommittees of war expenditures and we did that work on a basis of \$15 per diem. I think this committee might have been able to do more visiting and more effective visiting if they had kept their expenditures per member down to \$12 per diem. If on that trip down to the maritimes last fall the subcommittee travelling as a royal commission spent from \$6,000 to \$8,000 I think that was altogether out of line. And another thing, Mr. Chairman, if the commission went down there they also should have gone out to the west coast. They should have visited the Indians of the Rockies and on the coast. Why, Mr. Chairman, out there there are Indian communities where they have electric lights, water, heat, modern sanitary conveniences and everything just as the white people have. Had the commission gone out there they could have seen that and having seen that could have used that knowledge as a guide to help out some of these less fortunate poor Indians in some of the other parts of the country. If you go out to visit one or two or three groups of Indians why not do it with the others also. I am only one member of this committee but I am anxious to know what is the report of that commission, and I also want to know what it cost; and if it did cost \$8,000, I want to know why. This is a matter in which I am especially interested.

THE CHAIRMAN: I may tell you now, Mr. Reid, that the report will soon be tabled in the House and we are trying to hasten that.

MR. REID: Surely you know what it cost.

THE CHAIRMAN: We know that the total expenses amounted to nearly \$8,000 but the discussion should take place in the House when the supplementary estimates are tabled.

MR. REID: \$8,000, for how many?

MR. CASTLEDEN: It was not that much, surely, for ten persons. They should have been able to go from one end of the country to the other for that amount.

THE CHAIRMAN: You will have a detailed statement in due course. I repeat the proper place for this discussion is in the House when the estimate to cover that is tabled.

MR. REID: I have worked for many years in this parliament. I do not know of one single member who lost a dollar on the allowance of \$15 or



\$12 per day that we received when travelling as members of subcommittees on war expenditures; and I may tell you that some of us travelled from Halifax to Vancouver. The subcommittee on shipping on war expenditures travelled this whole country and not one member lost a single dollar on the amount he accepted as an allowance for expenses.

Mr. CASE: Maybe he did not have to drive out miles into the country as we did.

Mr. REID: Yes, we drove into the country; not hundreds of miles out but we drove into the country to visit airplane factories.

The CHAIRMAN: I am told that the appropriation for the commission was twice the amount used, but that we established a "new low" for committee or royal commission expenditure.

Mr. REID: But originally it was recommended the whole committee should go.

The CHAIRMAN: I believe that the war expenditures subcommittees cost far more than this commission did. However, that is a matter for us to discuss in the proper place at the proper time. Let us get all the facts; don't let us have a one-sided discussion. It is really out of order.

Mr. HARKNESS: I think it is idle to discuss it right now. We will have a statement later on. I agree with Mr. Reid that a statement should be presented but at the proper time.

The CHAIRMAN: That is right; that is what we are trying to do—to get to it as quickly as possible, but we must remember that we must obey the rules of the House.

Mr. REID: Tell me this; can you give me the reason why we should have to wait from last fall until now to have the final report from that commission?

The CHAIRMAN: There are many reasons; one reason is that there are about 900 pages of evidence; and there will be a unanimous report which it was our desire to present. That took time and several meetings, with ten members on the Commission. Those meetings could be held only after the House met. Need I say more on this?

Has anybody else anything to say on this motion to adopt the report of the subcommittee?

Mr. CASTLEDEN: Yes. Have the members who went on the commission been paid their own expenses?

The CHAIRMAN: No.

Mr. CASTLEDEN: They have not been paid yet?

The CHAIRMAN: No.

Now, if there is nothing further, we will proceed. We now have to deal with this matter of the invitation to Cochrane.

Mr. MacNICOL: In my opinion, Mr. Chairman, it is too late for us to go there. The House is expected to recess on or about July 15. We could hardly do it in that time. I would suggest that you acknowledge the invitation expressing the appreciation of the committee, and also regret that time does not permit of us taking advantage of their very kind invitation.

The CHAIRMAN: Is that a motion?

Mr. MacNICOL: Yes, if you like.

Mr. CASE: I would more or less agree. Is the evidence for this year now supposed to be complete.

The CHAIRMAN: That is my understanding; that is the plan of the subcommittee.

Mr. CASE: I do not think we could go up there then if we have enough evidence on which to proceed with the redrafting of the Act.

Hon. Mrs. FALLIS: If we were to accept this invitation would it not, perhaps, open the way for other invitations.

The CHAIRMAN: That may be. I think, as Mr. Reid pointed out, the committee should have done a great deal more travelling to find out at first hand the conditions in all parts of the country, but we have not found time so to do; and the work of the House, of course, is such that when the session is on members just can't be away. While the House is in recess there is some objection from members of the committee to travelling, apart from the fact that government must first authorize a travelling commission.

Hon. Mrs. FALLIS: Mr. Chairman, it seems to me that while it would be very desirable, in some respects, for the committee to visit every major Indian reserve in Canada it does not seem very practical. We have members on this committee—for instance, Mr. Reid—who has given us wonderful reports as to conditions among the Indians in British Columbia, and others from other provinces—and don't you think we may accept their reports as evidence just as well as if we went to those reserves to see for ourselves?

The CHAIRMAN: As one of those who went with the royal commission last year, I know that I profited greatly by the experience of seeing at first hand conditions in the Maritimes and Eastern Quebec. I had no conception of those conditions before. Now, I am only one member of the committee, but I am sure other members have had the same experience.

Mr. REID: I don't want to labour the question, Mr. Chairman; but I do think it would be only fair for a committee of this kind to visit not only the poor districts but also those districts which have done very well, so that we could see what they have done, and from that experience see if we cannot work out some system which will benefit the poorer Indians. You will find at some places they have towns which are run on exactly the same lines as towns run by the white people. They have their own police policing the towns, they have electricity, they have water systems; everything is the same as would be found in a community of white people. I tell you if you were to see one or two of these communities it would give you something to think about.

The CHAIRMAN: What is your pleasure about this invitation, gentlemen?

Mr. FARQUHAR: Mr. Chairman, I see no possibility of accepting the invitation. We might as well leave it until the session ends and our work is finished for the year.

The CHAIRMAN: I, for one, am not prepared to travel all over the country. I have other interests, the same as the rest of you. We just can't do it, much as we would like to. It would be very pleasant and all that, and we would like to do it; but I, for one, am not prepared to travel right now or even for some weeks after prorogation.

And now, Mr. MacNicol, your motion is that we acknowledge this invitation with thanks and express our regret at being unable to accept?

Mr. MACNICOL: Yes.

Mr. CASTLEDEN: Speaking to that motion, Mr. Chairman—

The CHAIRMAN: Just a moment, does anyone second that?

Mr. FARQUHAR: I would second it. Possibly we should add that if they wish to do so they might send us a brief and we could have it put on the record.

Mr. CASTLEDEN: Speaking to the motion—

The CHAIRMAN: They filed a brief last year. Our appendix AA, at page 641 of our 1946 minutes.

Mr. FARQUHAR: I thought possibly they might have something new to bring up.

The CHAIRMAN: Now, Mr. Castleden.

Mr. CASTLEDEN: I am in agreement with what Mr. Reid says. I think the more this committee travels the better. If there was \$15,000 appropriated for travelling expenses for this committee and only a part of it has been used, would it not be possible for some select subcommittee or commission to go up to Cochrane or out west? I have in mind, of course, those members who might be available to go. In that way we would get very valuable information, information of a kind one can get only by visiting in the field. I think we should accept the invitation; and if it is not convenient for the committee as a whole to visit Cochrane, then arrangements might be made for a commission or subcommittee to do the work during the recess.

The CHAIRMAN: Of course, when the report of this committee goes to both Houses there will be no more committee, and there will be no more committee because all committees cease to function with prorogation. You would have then to ask the House to set up another commission.

Mr. CASE: There is only one thought which occurs to me; I understand that the Indians in the James Bay area are in great distress. It would be worth while to make the trip, but I do not see how it could possibly be arranged. If it could be arranged that a subcommittee or commission of four or five go there, by all means let's have them go so that they can see these people and the conditions which prevail. If that could be arranged I would be all for it, but I do not see any possibility of rushing up there now.

Mr. MacNICOL: Well, Mr. Chairman, to go to Cochrane would not do the committee much good because you would not be able to get to see the Indians concerned. Most of the Indians about whom we are concerned in this area live at places like Moosonee and Moose Island. That is where the Indians are. They are usually encamped along the Abitibi river. I saw a large number of them there, and you would have to go right up there to see them and the conditions under which they are living. You can hardly expect them to come down to Cochrane.

The CHAIRMAN: Now, are you ready for the question?

Mr. CASTLEDEN: Well, then, if we were to accept this invitation and the committee were to go as far as Cochrane, at least we would be a little closer to the Indians in the James Bay area than we are here.

Mr. MacNICOL: As I said, you would have to go up the Abitibi river, to around Moose Factory, Moose Island and Moosonee and all around the Albany river. It would not be practical to bring the Indians all the way down to Cochrane. That is a long distance for them to come. I would not oppose sending perhaps one or two members right to Moosonee—a subcommittee or a commission such as we had last year—but I do not think it would be practicable for the whole committee to go. I covered quite a number of reservations when I was up there. I travelled in my own car, but everybody can't do that. I have no objection to those who can make proper arrangements being sent to this area. I know what my expenses were. There was quite a lot of talk from the department itself that they might assume those expenses if we had to pay anything. There was some talk from the department—I refer to the Department of Mines and Resources—that these expenses would be paid, but they have not yet been paid.

Mr. CASE: I wonder if we could not dispose of this whole matter by voting in favour of Mr. MacNicol's motion and then passing a motion that the committee authorize the such committee, if possible, to arrange for a small delegation to visit the James Bay area, and we should provide also for them to take evidence.

Mr. BRYCE: If they are going to visit the James Bay area they might as well go the rest of the way and visit the Winnipeg district.

Mr. CASE: That is it; it just opens up the whole field.



Mr. BRYCE: Come along with me, I am going anyway, and I will see that you don't get lost.

The CHAIRMAN: Can we have the question put? All those in favour of Mr. MacNicol's motion?

Hon. Mr. STIRLING: Mr. Chairman, in passing this motion I would suggest that the reason be given for our not going up there. We might say, for instance, that the committee has not yet been able to formulate its plans for the period following the session.

The CHAIRMAN: There will be no committee, you see. As has been pointed out, we cease to function with prorogation and there is no committee in existence between sessions.

Mr. GIBSON: I do not think we could do that anyway.

The CHAIRMAN: All in favour of the motion?

Carried.

The next item of business is hearing from Mr. Hoey, Director, Indian Affairs Branch.

Mr. CASE: Mr. Chairman, would you care to put the other part of the motion? I would move that the subcommittee on agenda and procedure give consideration to the advisability of sending a small delegation to the James Bay area to take evidence and to inspect conditions there.

Mr. CASTLEDEN: I will second that motion.

The CHAIRMAN: Let us have some opinions here. Mr. MacNicol's motion was that so far as Cochrane was concerned we decline with thanks. The motion by Mr. Case is to refer the matter to the subcommittee on agenda and procedure for the purpose of considering the advisability of a visit during the recess to the James Bay area; and Mr. Bryce wants to couple with that a visit to the Lake Winnipeg area—

Mr. BRYCE: No, no.

The CHAIRMAN: —and that the whole matter be left in the hands of the steering committee.

Mr. BRYCE: I think it is better to have it refer just to visiting the Cochrane district.

Mr. REID: I want some of you to come out to the Pacific coast.

Mr. BRYCE: There is a problem at The Pas where they are opening up a new reserve and moving the Indians down to that reserve. You will need to go there and look into that situation and Mr. Reid wants you to go British Columbia.

The CHAIRMAN: Will you amend your motion, Mr. Case, to leave the matter in the hands of the subcommittee on agenda and procedure as to inter-session activities?

Mr. CASE: Thank you, Mr. Chairman.

Mr. BRYCE: Why leave it to the subcommittee?

The CHAIRMAN: Because the subcommittee, as you remember, has very broad shoulders.

Mr. FARQUHAR: I am afraid that is passing the buck.

Mr. BRYCE: Sure it is; it doesn't mean anything anyway.

Mr. CASE: I take it the subcommittee will report back here yes or no; so, let us get on now with our work of the morning.

The CHAIRMAN: Those agreeable to the motion indicate.

I declare Mr. Case's motion lost.

Now, shall we get along with the evidence of Mr. Hoey. Mr. Hoey is here and we are hoping to wind up the public sessions of this committee this week. If it is agreeable to you we will meet today until one o'clock and, if necessary, on Thursday from eleven o'clock to one o'clock.

Mr. CASTLEDEN: Do I understand that we are going to try to finish the work of this committee at the session this morning?

The CHAIRMAN: Perhaps.

Mr. CASTLEDEN: What are we going to do about a report?

The CHAIRMAN: When I say that we are going to clear up the work of the committee I mean that we are clearing up the hearing of evidence; I do not mean that we are going to finish the task of the committee this morning. Our report will have to be considered after we have heard all the evidence; that will be the final activity of the committee.

Mr. CASTLEDEN: Do you think it will be possible for us to complete the terms of our reference after the evidence is heard? The terms of our reference were that we were to complete the work of this committee at this session.

The CHAIRMAN: We will report that we could not complete the task assigned to us.

Mr. CASTLEDEN: Will we make no report this session?

The CHAIRMAN: We will present our Fourth report.

Mr. MACNICOL: There will be the report of the commission which went to the maritimes, for our consideration?

The CHAIRMAN: When the committee's report goes in it will refer to the report of the commission.

Mr. REID: We will complete the evidence, and present a sessional report.

The CHAIRMAN: This committee will submit a report.

Mr. CASTLEDEN: But the report of the commission will be tabled?

The CHAIRMAN: That is right.

Mr. CASE: The report is ready and will be tabled soon.

Mr. CASTLEDEN: Will this committee give any consideration to the revision of the Act this session?

The CHAIRMAN: Not this year.

Mr. CASTLEDEN: When was that decided upon?

The CHAIRMAN: That was discussed several times in committee and in the subcommittee. It was found that we would not have time, assuming now that the House is going to prorogue in the middle of July. If, of course, it looks as if the session is going on until next fall that may change things.

Mr. CASE: Will the subcommittees on education and revision and so on function after this committee has concluded its labours, so to speak?

The CHAIRMAN: When this committee has concluded its labours the activity of any subcommittee will have ceased also. I will now call on Mr. Hoey.

**Mr. R. A. Hoey, Director of Indian Affairs Branch, recalled:**

Hon. Mr. W. H. Taylor (Joint Chairman) assumed the chair.

The WITNESS: Mr. Chairman, Senator Fallis and gentlemen, the regular meetings of this committee, as I understand, are now rapidly drawing to a close. Certainly, they are drawing to a close so far as this session of parliament is concerned. I wish to be personal for a moment, if I may, and thank the members of this committee, first of all, for their unfailing courtesy to the members

of my staff and to myself during the course of this inquiry. That courtesy, it seems to me, was very much in evidence at all times, and I appreciated it more, perhaps, than I can easily express in words.

Then, too, I should like to refer to the attitude of the members of this committee toward the Indians who appeared as witnesses before the committee from time to time. It seemed to me that nothing could exceed your kindness to them, the patience you displayed, your anxiety to hear their cases in full, to extend to them every opportunity that could be extended in view of the somewhat limited time at the disposal of the committee; and I liked that kindly, sympathetic attitude on the part of the committee toward the Indians.

Then there were a number of members of this committee—perhaps the majority—who were very regular in their attendance in the past two sessions, and to them I wish to express my personal appreciation. Their regular attendance here, despite the thousand and one matters which are forever calling for attention, was to me an indication of their deep interest in the problems confronting the department in the administration of Indian Affairs, and was to me and to the staff very gratifying.

Now, there is really very little that I have to add to the statement made by me in my first submission on Thursday, May 30, 1946; but there are two or three matters to which I should like to refer very briefly. First of all, I got the impression—and in this I may be wrong—that there was a feeling at times that if we could secure more funds a great many of our problems would disappear: more funds to provide tuition grants, additional funds that would enable us to undertake more generously the care of the aged and the physically unfit.

Now, a day or two ago I referred to the conditions in the '30's. It was impossible then to secure adequate funds for almost every branch of the public service. Then I referred to the war, when the regular services were pretty much pushed into the background in the interests of our war effort. Now, we are emerging from war conditions, and it is my duty and responsibility, as I see it, to present the facts and not to theorize, much as I should like to do so. But we have actually reached the stage in public administration—how long it will last I cannot say—when money means very little to us; and it would be erroneous for the committee to get the impression that if we had more money we could make greater provision for the Indians. We cannot do so at the moment because of the acute shortage of fully qualified teachers and the acute shortage of men offering to take over the Indian agencies. For Walpole Island we had twice to advertise a position that carries \$3,600 a year plus a house and light. We advertised a position at Selkirk, a year or so ago, and there was only one candidate who appeared. He had only the minimum qualifications. As I indicated a moment or two ago, I do not know how long present conditions will last. I have before me a statement which I am going to put on the record, with your permission. It indicates the amount of money voted last year for Indian administration, including medical services. The figures show the amount allotted as \$11,249,037.46.

Mr. MACNICOL: That is for 1946?

The WITNESS: For the fiscal year, the last fiscal year—1946-47—\$11,249,037.46. We actually spent \$9,968,810.32. So there was no attempt on my part and no attempt on the part of anyone during the last year to restrict expenditures where we felt expenditures were sound and where the need justified the expenditures.

Mr. CASE: May I interrupt you for a moment, Mr. Hoey? That figure has nothing to do with the band funds; it refers only to departmental expenditures?

The WITNESS: That is wholly departmental, including medical.

Mr. CASTLEDEN: That includes the vote for the Department of National Health and Welfare?



The WITNESS: Yes.

Mr. CASTLEDEN: How much of this was spent by the Department of National Health and Welfare on medical services?

The WITNESS: Medical services were voted \$4,403,390; they spent \$3,853,425.34.

The CHAIRMAN: This statement will be put into the record. (Statement follows.)

## DEPARTMENT OF MINES AND RESOURCES—INDIAN AFFAIRS BRANCH

TOTAL OF ENCUMBRANCES AND EXPENDITURE BY VOTES—YEAR 1946-47

Surveys and Engineering Branch expenditure included.

Name of Vote	Amount Allotted		Total Encumbrances Less Refunds		Net Expenditure	
	\$	cts.	\$	cts.	\$	cts.
Branch Administration.....	70,305	00	61,534	26	61,534	26
Indian Agencies.....	1,168,559	00	1,074,686	39	1,074,686	39
Reserves and Trusts.....	732,831	00	663,412	83	663,412	83
Annuities.....	295,847	00	295,847	00	295,847	00
Fur Conservation.....	200,000	00	161,110	79	161,110	79
Medical.....	4,403,390	00	3,853,425	34	3,853,425	34
Grants to Hospitals.....	204,320	00	4,320	00	4,320	00
Welfare.....	1,291,115	00	1,230,868	05	1,230,868	05
Grants to Exhibitions.....	6,725	00	5,085	16	5,085	16
Indian Education.....	1,081,971	00	952,925	33	952,925	33
Grants to Res. Schools.....	1,692,355	00	1,585,795	42	1,585,795	42
B.C. Special.....	100,000	00	78,180	29	78,180	29
Pensions and Other Benefits.....	1,200	00	1,200	00	1,200	00
Gratuities to families of Deceased employees.....	419	46	419	46	419	46
	11,249,037	46	9,968,810	32	9,968,810	32

Mr. Brown resumed the chair.

The WITNESS: It is my hope that next year the committee will undertake and complete the revision of the Act. The longer I remain in the Indian service the more I am convinced that it is largely an administrative problem. I cannot see—for the life of me—at the moment, how you could revise the Act, or in what way you could revise it, that would mean much to the Indian population in the absence of sound administrative effort. I would say offhand that ours is about two-thirds an administrative problem and, perhaps, about one-third a legislative problem.

Now, one of the matters upon which there seems to be a difference of opinion is the matter of education. You have had before you witnesses advocating the operation of schools by the government and others advocating denominational operations or, indeed, denominational control. I should like to make one or two suggestions, and I am making them now for the simple reason that I should like the members of the committee to turn my suggestions over in their mind during the period immediately ahead of us so that they will be able to express an opinion when they actually get down to the revision of the Act.

If you will turn to the Indian Act, and look at section 100, you will see that it relates to the power of the band council to make regulations; and subsection (2) reads:—

If a majority of the band belongs to any one religious denomination the teacher of the school established on the reserve shall belong to the same denomination. The Protestant or Catholic minority of any band may, with the approval of and under regulations made by the Governor in Council, have a separate school established on the reserve.

I would take section 100, if I were revising the Act—which is not my responsibility—and I would link it up with section 9 of the Act. That is to say, I would give the Indians the right to determine for themselves exactly what type of school should be operated on a reserve. I think it would be a good thing for the educational effort. I believe it would be a good thing for the missionary effort. I do not know of anything more apt to retard missionary effort on a reserve than to have an unpopular teacher in charge of the school. Therefore, I believe this would be a good thing for the educational effort and a good thing for the missionary effort. I think it would be a practical step in advance. I would give the Indians the right actually to say what schools should be operated on their reserve.

Mr. MacNICOL: May I interrupt you there? You did mention about a portion of the band being of one religion and a portion being of another religion; what would you do with the minority? Would they be compelled to accept the religion of the majority?

The WITNESS: Suppose in the band voting the majority were in favour of a school operated under a particular denomination; that would simply mean that it would be a departmental school but the teacher selected would have to belong to that particular denomination. That is all it would mean. It would not mean control by the denominational authorities. It does not really mean control by a denomination now. The Indian day school teacher under those new regulations would be a civil servant. Two things could happen. If the vote decided that a denominational school should be established then we might make arrangements whereby the members of the other denominations on the reserve would be exempt from the religious exercises that usually take place between 3 and 3.30 p.m. or 3.30 and 4 p.m.

Q. Of course, if you had public schools there would not be any religious exercises?—A. I would give the Indian the right to say whether it should be a public school or a denominational school. I do not see how we can go further at this stage. The whole Indian educational system, as I see it, is a superstructure. The churches were in there first—years before government took an interest in Indian education. They are still in there. They have a great many trained workers. They are engaged in a missionary effort. They are going to be there anyhow. I would put the responsibility back on the Indians as to whether they want a public school or a denominational school. I would make provision whereby a vote would be undertaken and carefully recorded on each reserve.

*By Mr. Reid:*

Q. In the province of British Columbia we never raise any question, in the public schools, as to whether a boy or girl is a Roman Catholic or a Protestant. I know many splendid Roman Catholics who are teaching in our Protestant schools. We never raise any question at all and we have got along fairly well.—A. I think perhaps in British Columbia the Indians would vote the same way, but you must admit both British Columbia and the province of Manitoba are rather unusual in that respect. Provision is made in practically all other provinces for a separate school system to which certain people have become acclimatized in this country. In any event, I think the Indian should have the right, and I would extend it to him, to say exactly what type of school he wants.

*By Hon. Mr. Stirling:*

Q. Would you suggest that vote would be subject to revision after so many years, or would that vote be final for all time?—A. No, I think either in the Act or in the regulations it should be provided that after a reasonable period of time—say ten years—they should have the right of repeal if they so desired. Conditions change. I believe they should have the right of repeal.

*By Mr. Castleden:*

Q. How about minorities? It might be possible, as we had evidence given to the committee, that one group might be Roman Catholic, another group might be Protestant and there might be a group of people who do not believe in any Christian religions. They hold to the old Indian beliefs. You are still going to run up against the problem of deciding whether or not those people have any rights as minorities. The establishment of a school for a minority, what is known as a separate school, whether it be Protestant or Roman Catholic, is still entirely out of the hands of the Indian. It is in a departmental branch. Are you going to build four or five little schools?—A. I think in practice it would work out reasonably well. In the province of Manitoba where we have in the outlying districts say a Catholic in charge there may be a few Protestants or non-Catholics in the neighbourhood. Under the regulations issued by the advisory board they are exempt from religious instruction. It seems to work out reasonably well. Then it is incumbent upon the department to see that instruction other than religious instruction is academic and neutral.

*By Mr. Reid:*

Q. Yet the problem still remains, especially in British Columbia, where you have had day schools closed for two years or three years due to the fact that a certain church says, "We cannot get a teacher of this denomination", and the children lack education. That has applied to both the Roman Catholic and Protestant churches. Your suggestion would not cover that at all. It would not cure that.—A. No, I do not think you can cure that, frankly, until conditions change. Educationists have expressed the view recently there is going to be an acute teacher shortage for perhaps ten years. Until that shortage is overcome and until we give the members of the teaching profession a higher status and attach the importance to their work that should be attached to it. I do not think you can correct that. In the old country from which I came, and from which some of you came, the clergyman and the doctor and the school master were on the same level. In rural Ireland the clergyman, the doctor and the school master—and there was invariably a school master—were the leaders in the community. They enjoyed the same social status. I was shocked when I came out to Canada to discover that the members of the teaching profession were relegated to an inferior position. I think that is all wrong. That is the reason why we have not more school masters in Canada. We do not appear to attach the same importance to the work in which they are engaged as we did in the old country. Anyhow that is my idea. I should like to say that I am not speaking at all dogmatically. If you say, "You are 100 per cent wrong" that will not offend me at all.

The CHAIRMAN: Ladies and gentlemen, could we not let Mr. Hoey proceed without questioning until he completes his presentation? A great deal of our discussion now has been on the revising of the Act.

The WITNESS: That is my first suggestion.

Mr. CASE: I think it is far better to question as we go along.

The CHAIRMAN: Is it the committee's pleasure to do that?

Carried.

The WITNESS: I should like to make discussion as informal as I can. The next question on educational effort is the operation of Indian day and residential schools. Frankly I do not think that problem is one that need give us a great deal of trouble. It would require at least \$200,000 today to build and equip a fireproof Indian residential school. The cost of operation would run between \$200 and \$300 per year per pupil. I care not what government is in power and



I care not who may be director of Indian Affairs; the officials in the future will have to put up an extremely strong case for the establishment of Indian residential schools.

As a matter of fact, I have now been almost eleven years in the department, and I cannot think at the moment of a single new residential school built in that period. They are just too costly. A few that were burned have been replaced. That means that we will carry on with the residential schools already in operation plus a few additional residential schools in the northern regions of the dominion. As the Indian population increases Indian pupillage is increasing at the rate of 300 a year. To keep abreast of that increase we would need to build each year one Indian residential school with an enrolment of 150, and 5 Indian day schools, without stopping to pull in the slack rope of 12,000 for whom no provision has yet been made at all. Consequently the Indian residential school is going to become taxed for space. It is so taxed now. I think where it becomes unduly so taxed the department should build a detached four room school. I think that school should be in exactly the same position as an Indian day school, the responsible minister in such cases entering into an agreement with the particular church concerned whereby the church would look after the dormitory accommodation, food, clothing, and extra-curricular activities, such as football, hockey and the like. I think the churches, under trained leadership, are ideally equipped for that work I think it is work in which they would excel. I think it is a task to which they could turn with greater hope of success on the whole than the department, but I think the educational end of it should gradually—in fact, I am sure of it—come under the control of the department. The principal and his staff should gradually come under the control of the department. I do not think the churches would take any reasonable objection to that.

Speaking of Indian residential schools, when Dr. Scott was deputy superintendent general we had a contract with all residential schools in which the duties and responsibilities of the church were clearly defined, and the duties and responsibilities of the department defined with equal clearness. For some reason or another that contract lapsed before I came into the department. I think in the Act it should be clearly stated that the minister has the authority to enter into such contracts just the same as the contracts we enter into now with provincial governments for the joint operation of schools in northern Saskatchewan, northern Manitoba and the northern sections of other provinces. I think the minister under the Act should be given the power and authority to enter into contracts with the churches for dormitory care and for providing extra-curricular activities for groups of children here, there and everywhere, but I think the trend is to have the educational side of the work brought under the control of the department. That would solve what, at the moment, looks like a rather awkward problem. It would enable teachers engaged at residential schools but working under the direct control of the department to become to all intents and purposes Indian day school teachers, and would enable them to qualify for the benefits that exist under the Civil Service Superannuation Act.

*By Mr. Lickers:*

Q. What about the principal? Would you also make him a civil servant?

—A. Yes, not the principal of the dormitories who in all probability would be a clergyman, but the principal of that four-room or three-room or two-room educational unit attached to the school should definitely be a trained educationist and he should have complete control over the pupils from when they enter the class rooms in the morning at 9 or 10 until they are discharged at 3 or 4 in the afternoon. There should not be any conflict of jurisdiction in that case.

*By Mr. Reid:*

Q. Does the principal not have that power right now? In the various schools I visited the principal or the one in charge of the institution had that right and power now regarding the education of the children.—A. The principal of a residential school now theoretically—I do not know how it works out in practice in all cases—is really the administrator and the head educationist and the head farmer, and he is in complete charge and complete control. I would give him the dormitories, the agricultural operations, the extra-curricular activities, and everything else that relates to the physical well being of the child and his spiritual advancement, but I think the other unit, just the same as they have at Alberni, should be under the direct control of the department. Anyhow, that is a matter you can think about.

The other matter which took up an unusually large amount of your time was this permit system in the west.

*By Mr. Castleden:*

Q. Before you leave the educational system, the present system of inspection is left entirely to the provinces except for British Columbia?—A. British Columbia.

Q. The provincial school inspectors seem to be operating in a field where they have not had special training, where they pass their reports to officers at Ottawa. I was wondering whether or not you have any recommendation with regard to the establishment of an efficient inspection system of the actual academic work being done in the schools. It might be operated by the department here or in some other field. Do you pay the provincial governments for the inspection work?—A. Yes, so much per class room.

Q. And do you find it is more efficient in British Columbia or do you find the system of provincial inspection is more efficient?—A. We have been without an inspector there for three or four years. When the inspector who retired, Captain Barry, was on the job, I think that on the whole it was better, but I think Colonel Neary will support me in this, that the school inspectors recently appointed by a number of the provincial governments are rendering a marvellous service. They seem to be just as much interested in the educational advancement of the Indian as the agent or any official at Ottawa. They are continually making suggestions. They do a rather thorough job. We did not get as good service from some of the older men who were sincere but academically minded. They just could not see vocational instruction. We had a great deal of trouble with them. They thought an educated man was a man who graduated from high school, took a classical course with very few modifications, got a university degree, and then perhaps a degree in pedagogy, but if you talked about blacksmithing as education they just could not see it. Those men are disappearing. The new men are becoming more reasonable in their attitude to vocational instruction. I do not know whether or not I should say this on the record, but if I were answering that question, quite frankly and quite honestly I have shied away from it, for the simple reason I was afraid that if I appointed an inspector of one denomination a demand would immediately arise for an inspector of another denomination. I thought I had trouble enough on my hands without stepping into that in the meantime.

Mr. CASE: I think that is very sound.

Mr. CASTLEDEN: That is another argument for state schools.

*By Mr. Castleden:*

Q. Do you have all your Indian schools inspected once a year by an inspector?—A. No.

Q. What percentage do you get?—A. Oh, I would say all the schools are inspected with the exception of schools in the northwest territories.

Q. Once a year?—A. Oh, more than that. They are very liberal. Take a reserve like Caradoc. Inspector Gordon Young who was in charge at one time, and who is still there, I believe, is around there maybe once a month. He is really interested. He is constantly giving advice. The same thing applies to the school inspector at Brantford. I would not be surprised if he had been on the reserve maybe more than once a month.

*By Mr. MacNicol:*

Q. What about the schools at White Sands and Gull Bay on Lake Nipigon?—A. They will be inspected; by whom I could not say at the moment.

Q. There must be somebody from Port Arthur.—A. Yes.

*By Hon. Mrs. Fallis:*

Q. I should like to ask Mr. Hoey a question in regard to the inspection of schools. You pay the provincial inspector so much per class room. In that agreement is there any stipulation as to how often he must inspect the schools? Is there anything compulsory about it?—A. No. In some cases we pay the provincial Department of Education and allow them to make whatever arrangements they like with their inspectors. In other cases the cheque for the work goes direct to the school inspector.

Q. In other words, it is left pretty much to the discretion of the inspectors?—A. It is, because they work in certain areas and the reserve is a part of that area. The average educationist is just too conscientious and too public spirited to pass an Indian day school or Indian residential school without inspecting it or without calling in to see what is going on. I do not know what Colonel Neary's experience has been, but I got marvellous service from them. They visited them quite regularly. They undertook the inspection with a great deal of patience. Of course, they have no power to do anything other than to send in their reports to us, but they go into lighting facilities, sanitary conditions, the health of the children, their academic progress, very thoroughly.

*By Mr. Reid:*

Q. At the same time, do they also put in a report as to the teacher? I know in British Columbia the inspectors going around the public schools not only put in a report regarding the pupils but also put in a report as to the teacher. The Department of Education has reports on file all the time as to the aptitude of the teacher and whether she is fully capable of teaching that class. I am wondering if the inspectors of the Indian schools do that.—A. Yes.

Q. They do that in the other provinces? They put in a report?—A. Yes.

Q. And has action been taken in the past where a report has been made that the teacher was not suitable or was not doing her work properly?—A. Yes. We have a standard form. We follow the provinces pretty closely in that regard. They report on the health and professional standing and other matters relating to the teacher and her work.

*By Mr. Case:*

Q. As a matter of fact, it certainly is a definite part of the inspector's work to inspect the teacher?—A. Yes.

Q. The teacher's qualifications, aptitude, and so on; that is a part of his work as much as inspecting the progress of the children.—A. Yes.

*By Mr. Reid:*

Q. Has it not been one of your great difficulties in regard to many of the reports you receive as to the qualifications or aptitude of teachers that those teachers are protected and cannot be removed in many instances? In my travels



I ran across at least two cases where I considered that the teachers should not be there. When I inquired from the Indian agent he said, "Oh, well, we have been asking for two or three years for the removal of that teacher but we are told that she cannot be removed." Has that not been one of your greatest troubles? We are trying to dig into this matter and find out how it works.—A. I would say without any hesitation that a teacher would have to be very bad—during the recent war period—for us to consider her dismissal seriously because when we dismissed a teacher it simply meant the closing of the school. We were confronted with closing the school on the one hand or keeping the teacher despite his or her incompetence, on the other hand. Of course, if there were any charges against the teacher's character that would be a different matter. When an inspector comes along and says that her pedagogical methods are faulty, or something like that, we check up, but we certainly would not seriously consider dismissal. We could not. If you have in mind that because a teacher is nominated by a religious body that we might have some difficulty in dismissal I might say that I have never consulted the churches in the case of a dismissal. I just dismiss and let them complain afterwards. They do not often complain. The churches are usually very reasonable. They are no more anxious to keep an incompetent teacher than we are. Are there any other questions on education?

*By Hon. Mr. Stirling:*

Q. How would you deal with the situation which arose in the Okanagan district where a good school and teacher's house have been vacant for two or three years during the period when the war created great difficulties in this regard? The nomination of the teacher was under the Roman Catholic bishop. He was not able to make a recommendation and the name of a Protestant teacher and his wife was submitted but was not acceptable to the bishop. In a case like that covered by the recommendations which you have been asking us to consider?—A. I think so. I think it should be made clear in the Act that where Indians vote in favour of a denominational school that the department is still in control. It just means that the teacher is to be of the same religious faith as the majority who voted for the denominational school. The churches cannot take any exception to that. That is in force in Manitoba.

*By Mr. Reid:*

Q. They could and they would if there was a certain length of time which was to be given over to religious instruction. There would be various objections to another teacher coming in. You can see the reason for their objections.—A. Charges are made from time to time about the inordinate amount of time given over to religious instruction. Frankly I do not take such charges very seriously. In the schools I have visited they were living right up to the curriculum, but when a teacher becomes unpopular or a principal becomes unpopular it is the easiest thing in the world to direct charges against them and say that they are devoting too much time to religion. That is just about as good a charge to lay as any other.

*By Hon. Mrs. Fallis:*

Q. I am not very clear as to the instance which Mr. Stirling quoted. In that case would the department have no say? Would it allow that school to be closer for two or three years when there was a teacher of another faith available?

MR. REID: They did just that.

THE WITNESS: If you turn to the Act—

HON. MRS. FALLIS: If that is in the Act it seems to me it is a matter to which we should give attention as to whether children are going to be denied an education, in such circumstances.

The WITNESS: I would refer you to subsection 2 of section 10. Here is what the officials are up against:

Such school shall be the nearest available school of the kind required, and no Protestant child shall be assigned to the Roman Catholic school or a school conducted under Roman Catholic auspices, and no Roman Catholic child shall be assigned to a Protestant school or a school conducted under Protestant auspices.

Immediately you ask what is a Protestant school or what is a Catholic school? In practice it means that where a Catholic is in charge it is designated a Catholic school and where a Protestant is in charge it is looked upon as a Protestant school. Therefore when the bishop failed to secure a teacher Colonel Neary would look at the Act and he would say, "I can secure the services of a Protestant teacher". But the Act provides that no Catholic child shall be sent to a Protestant school or a school conducted under Protestant auspices.

Mr. REID: You are speaking of the teacher.

Hon. Mrs. FALLIS: I realize that part of it.

Mr. REID: They were speaking of the teacher.

Hon. Mrs. FALLIS: We are speaking of revising the Act. I am wondering if that is a condition that should be allowed to continue; that the school should be closed for an indefinite period of time and these children denied an education because, although a teacher is available, church authorities will not accept that teacher.

The WITNESS: Senator Fallis, I think it may be clear in the Act that the denominational schools, if you are going to have such, are your responsibility. The taxpayer should only be asked to go as far as the payment of the teacher; not the missionary, not the department. And the teacher, whether a Catholic or a Protestant, should be a civil servant subject to discipline ordinarily imposed on civil servants, appointed and dismissed by the department. There should be no evasion.

Hon. Mrs. FALLIS: Under those circumstances an incident of this kind could not occur?

The WITNESS: No, it could not occur.

*By Hon. Mr. Stirling:*

Q. And under those circumstances you would not look to the bishop for a recommendation for the appointment of a teacher?—A. Unless, of course, we could not get a Catholic. Personally, I would try to do so even if we had to ship one, say, from as far away as Prince Edward Island. We would try to get one of their own denomination for them.

Q. Tell me, in regard to the incident to which I am referring and of which you must be aware, has a vote, a decision been taken on that point?—A. No, there is no provision for a vote, at present.

Q. Then how did it come that the Roman Catholic bishop hitherto has been in that preferred position?—A. Because the majority of the members on that reserve are Catholic, and in all probability the Roman Catholic church was the first to establish and maintain a mission there for a great many years.

*By Mr. Reid:*

Q. But in the past you have not been able to take action in regard to the filling of vacancies for teachers although you have quite a number who have been picked for a long time; you have no power apparently at the present time to fill these positions with teachers?—A. If it came to legal power, I do not

know whether we have the power or not; the established practice over a long period of time extends to the bishop or the clergyman or the church the right of nomination.

Q. You have gained that from experience; I realize how things drift.—A. To speak frankly, I think a great many of these things would have been looked into more carefully since I came to the department if it had not been for the fact that, from time to time, we were promised either a royal commission or a committee somewhat comparable to this one, and that has been promised to us for over twelve years. I know it was referred to the first year I came to Ottawa. Then, of course, there was the depression, and then the war came along and we just didn't get it.

*By Hon. Mr. Stirling:*

Q. Then, Mr. Hoey, if we do arrive at what some of us might think to be an ideal arrangement, having education entirely under the direction of the department, then religious instruction will be given by that religious denomination which is in the majority in the area? Could they take another step and say that if there are denominations of another kind present in the neighbourhood willing to give religious instruction at other times they would be permitted so to do?—A. Yes. Let us take one province. If 25 Catholic children were attending a rural school in Manitoba and 10 Protestants were attending the same school, religious instruction would be provided by the priest or the teacher in charge. There is no objection at any time for the trustees giving permission to make any arrangement with a Protestant missionary or a Protestant clergyman in that locality whereby he would come once or twice a week and give religious instruction to the minority.

MR. MACNICOL: Is religious instruction given every day in the week in schools of all denominations?

THE WITNESS: Provision is made for adequate religious instruction, Mr. MacNicol; and I think, in a majority of the cases it is given. Now, Mr. Chairman, may I make a statement off the record?

THE CHAIRMAN: Is it agreeable to the committee that Mr. Hoey have permission to make a statement off the record?

Carried.

(Statement by Mr. Hoey continued off the record.)

THE WITNESS: With regard to religious instruction in the schools, may I say that when I was in charge of the Manitoba department of Education and Welfare we brought up from Chicago university a man who was the head of the faculty of education and we had a rather heated discussion that afternoon about religious instruction in the schools and how it should be provided. And this was a distinguished educationist, a Cambridge graduate and head of the department at Chicago University, and this is what he said: Ladies and gentlemen, if you have the proper character at the head of your school, a man or a woman of exemplary character, a certain spiritual quality, one who is interested in the advancement of his or her pupils, religion is taught in that school from ten o'clock in the morning until four o'clock in the afternoon; it is taught in mathematics, it is taught in history, it is taught in accuracy in writing; but if you have at the head of that school a selfish individual, a man or woman whose moral integrity is in doubt, then religion is not taught in that school at any time, even though you make creeds and the Bible your only text books.

SOME HON. MEMBERS: Hear, hear.

THE WITNESS: And that is a fact. It is the character and the example of the teacher which means everything in educational effort.

THE CHAIRMAN: Are there any questions?



Mr. MACNICOL: I would like to ask Mr. Hoey a question, but not about education.

Mr. CASTLEDEN: Was Mr. Hoey not going to tell us something about permits?

The WITNESS: I said that I was interested in the importance which the western Indians attached to the permit system. I think, frankly, power should be given to the provincial inspector of agencies to recommend that any band which appeared to be capable of undertaking such work should have the right extended to them of issuing their own permits rather than the agent on the one hand or the farm instructor on the other. I am not speaking of the case of the Indian who is indebted to the department or others, I mean when the Indian agent goes to a store or a farm implement agent and says: if you provide this Indian with a harrow or a plow I will see that you get paid. But I think where Indians are in the clear the council of the band should have the right to issue a permit. They will make statements. You are bound to have dissatisfaction when you have a condition existing where the Indian can do his own marketing in Ontario and is refused that right in Manitoba. There has simply got to be a modification of that. I know the inspectors are vigorously opposed to it but a start has to be made; we can't go on doing everything for the Indian. He will make mistakes, but it just appears to me that he has got to learn by making mistakes. That section of the Act, in my judgment, should be modified.

*By Hon. Mr. Stirling:*

Q. I think you said that you advocated the council or the band granting permits in a case where they knew the man to be in the clear; what do you mean by that?—A. I had in mind the case of a man who might be indebted to the Department, and our understanding was, let us say with the storekeeper or the implement agent, that the agent would have control of the sale of a carload of wheat or livestock until that account was paid. I do not think it would be fair to grant a man a permit until we were satisfied that he was getting a fair proportion of his loan repaid; and I think the same would be true in the case of the implement dealer. We have told these people in effect that we will see that the debt incurred by the Indian gets paid. But where the Indian is indebted to no one, I think he should be given certain latitude. How are we going to develop sense of responsibility in the Indians otherwise?

Q. Yes, I understand and agree with you there; but I understood you to make particular reference to the Indian being in the clear and I was wondering how the council or the band could be expected to know sufficient about the financial affairs of each individual Indian to know whether or not he was in the clear?—A. Well, most of them would actually know about it, and the agent would be there to act as adviser; and it is just unthinkable to me that any band would issue such permits without consulting the Indian agent.

And now, we come to a matter of band funds. Here again we have to extend to the Indian the right to spend more freely the money that is in the interest account. I think there is something between \$17,000,000 and \$17,600,000—whatever it is—of capital and that should be very zealously guarded; but I think the interest that accrues from that capital amount from year to year should be more freely available to the Indians who are entitled to receive the benefit of it. Take the case of the Six Nations, they will probably have \$50,000 to \$60,000 a year. I would give them greater liberty.

Mr. CASE: In other words, you would give them a greater measure of self-government on their reserve?

The WITNESS: Yes, in the expenditure of their funds. Again I say, how in the world are we going to develop a sense of responsibility if we keep the fund here year after year. We just can't do it.

*By Mr. Castleden:*

Q. That brings up the whole question of their being wards of the government, and that depends directly on the extent to which they are completely directed or free to develop themselves.—A. When the Indian population was comparatively small it was not a very serious matter whether government administered the band funds or not, but the Indian population to-day is increasing. We have 130,000-odd Indians and they are increasing at the rate of at least 1,500 a year. As we go in more and more for preventive medicine the increase will be accelerated. One hundred and thirty thousand, 140,000 or 150,000 people leaning on the government and continuing to lean on the government in the sense that they are leaning on the government now is not a good thing for the nation and it is not a good thing for the Indian.

Q. Certainly not.—A. And that is why the demand is arising now for the abolition of the Indian department in the United States. I expressed the view the other day that some day, somewhat similar demands might arise here. The terms of the proposal in the United States at the present time are to divide the country into nine zones with a director in charge of each, extending to the director practically all the authority now enjoyed by the Indian commissioners at Washington and Chicago. They think that will be an intermediate step towards complete abolition of the Indian service in the United States. Whether we will ever follow in their footsteps in that regard or not, I do not know; but I think that there are certain things like extending to the Indians the right to deal more effectively with band funds which might be one step that could now be taken.

Mr. LICKERS: Mr. Chairman, may I ask a question here?

The CHAIRMAN: Yes.

*By Mr. Lickers:*

Q. Would you be in favour then of transferring each year, at the beginning of each fiscal year, the total interest on the band funds to the more progressive reserves and let them regulate it throughout?—A. I might; but the Indians would oppose that, Mr. Lickers, for the reason that they claim they would lose. I do not know how the treasury branch would view it.

Hon. Mr. STIRLING: They would lose, what?

The WITNESS: We are paying 5 per cent interest on their money and they claim if the advance was made at the first of the year they would not be entitled to interest on that money for that year. We pay them 5 per cent per annum on the money in that fund. They claim that they would be worse off through the loss of the interest on that fund. I would personally be in favour of transferring it and letting them spend it by resolution of the band.

Mr. MACNICOL: Arrange the necessary authority and then let them regulate their expenditures; use the money any way they want to.

Mr. LICKERS: Even if we have to push them a little to get them to take that under consideration?

The WITNESS: I think it is advisable.

*By Mr. MacNicol:*

Q. I wanted to ask you about a New Brunswick reserve; I think it is just out of Woodstock. The people there seem to be very much excited over some program for moving them away from there to some other reserve. They do not want to go because they say it would change their whole mode of living. There are not so many of them. They do some work of their own there; I think they do basket-weaving, make snowshoes and things of that kind, and I also understand that some of them work across the line in the States. They don't want to be moved. Have they been consulted? Has the band



itself been consulted as to whether it wants to go or not? What has been the decision of their council?—A. That began, Mr. MacNicol, when a number of returned men there applied for a grant under the Veterans' Land Act and it was discovered by the inspector that the land available was not sufficient for them to be able to qualify, so we bought—I can't say at the moment just how many acres we bought—but there was a house and a barn on the land and it was good agricultural land. We said to these people that if they wanted to qualify for a grant under the Veterans' Land Act they would have to take up residence on this recently purchased land because they could not qualify by remaining where they were. I have received a number of letters of protest, but the department has no authority to compel the Indians to move off the reserve on which they are residing and on which they have resided for centuries maybe.

Q. Well, you are conversant with the whole situation. I hope nothing has been done which would upset them down there. I was there last summer. I saw this land to which you referred. It is just across the road from where the reserve now is. As I got the story, years and years ago, through some error, the land allegedly had been sold without the consent of the band and they say that if they had that land back again they would have sufficient land to let these fellows go ahead and farm. However, you say nothing has been done?—A. Nothing whatever has been done to compel them to move.

Mr. LICKERS: Aren't the Indians advised or compelled to take up land at some other location?

The WITNESS: They are not compelled; but what we say is: you cannot qualify under the Veterans' Land Act unless you move to an area where you can qualify.

The CHAIRMAN: A great many veterans, as I remember, did qualify and were building very suitable homes on that very reserve. Isn't that so, Mr. Bryce?

Mr. BRYCE: Yes, there are lots of them.

The CHAIRMAN: That is where we also found the elderly people living quite contentedly.

Mr. MACNICOL: They tell me that this particular band has been in that neighbourhood for a long time—perhaps two hundred years or more. They do a lot of nice work there, and I believe the chief has a small factory right on the reserve—I forget what it makes.

Mr. HARKNESS: They make baskets, snowshoes, and a number of small things of that kind.

The CHAIRMAN: As I recall it, it is not a very large factory. It is nearly only the chief's workshop.

Mr. MACNICOL: No, not really a factory.

Mr. CASTLEDEN: Mr. Chairman, I wonder if Mr. Hoey will be before us again?

The CHAIRMAN: Yes, on Thursday next.

Mr. CASTLEDEN: I was wondering if he would outline in his next report any plans he has regarding the freeing of the Indian from the position in which he finds himself? In many cases he is isolated on unprogressive reserves, and unable to make a decent living. Would Mr. Hoey tell us what his plans of development are with respect to giving assistance to such Indians so that they may be able to make a living in many cases where they apparently have not the opportunity of getting such a living at the present time. Will you do that for us?

The WITNESS: Yes.

Mr. CASTLEDEN: I was talking to Colonel Neary regarding the qualifications of teachers. He told me he could give me some of the information I want



probably by next week. I asked with regard to the number of persons employed as teachers in Indian schools; how many hold teachers' certificates recognized by provincial departments of education? I asked about those with permits, and those with certificates from other countries. He indicated to me that he would be able to get that information for me within the next two weeks.

Mr. BRYCE: When Mr. Hoey comes before us again here is something on which he might give us some information: when we were in the east we came across a number of cases where Indians were really not looking to the government any more; they were working as electricians, carpenters and so on and making their own living. Nevertheless, they are still looking to the government with respect to adult education, and they want also schools and education for their children. The general answer of the department was: well you go to Eskasoni or you go to Shubenacadie and we will find all these things for you. Here are Indian men who are living away from the reserves but they still have that old inclination that the government are obligated to give them certain things. For instance, they are asking for education in some cases. And the reply of the department was that they had to move to the new reserve to get it. I think it is a mistake to require them to move to a reserve when you already have them off the reserve earning their own living. Our fellow member Stanfield told us, you will recall, that he employed Indians and that they make good wages with him. But they are still doing what they were doing when they were children of the government. They say to the government: give us these things; and that applies particularly to adult education. The reply of the government is: you go back on to the reserve and we will build you a good house and schools and so on.

Mr. HARKNESS: In other words, the one big problem down there was that the Indian in order to qualify for the various benefits had to go and be an Indian and live on the reserve, and if he did not go and live on the reserve he was cut off from these benefits.

Mr. BRYCE: You will agree that that is a backward step.

Mr. HARKNESS: I believe it is a backward step.

The CHAIRMAN: The subcommittee on agenda and procedure will meet at four thirty o'clock to-day. The joint committee will sit again Thursday next at 11.00 o'clock a.m.











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Indian Act, Spec 11  
Ottawa, 1947  
(SESSION 1947)



# SPECIAL JOINT COMMITTEE OF THE SENATE AND THE HOUSE OF COMMONS

APPOINTED TO CONTINUE AND COMPLETE THE EXAMINATION  
AND CONSIDERATION OF THE

## INDIAN ACT

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MINUTES OF PROCEEDINGS AND EVIDENCE

No. 39

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THURSDAY, JUNE 26, 1947

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WITNESS:

Mr. R. A. Hoey, Director, Indian Affairs Branch, Ottawa.

OTTAWA  
EDMOND CLOUTIER, C.M.G., B.A., L.Ph.,  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
CONTROLLER OF STATIONERY  
1947







## MINUTES OF PROCEEDINGS

HOUSE OF COMMONS,

THURSDAY, 26th June, 1947.

The Special Joint Committee of the Senate and the House of Commons appointed to continue and complete the examination and consideration of the Indian Act (Chapter 98, R.S.C., 1927, (and all such other matters as have been referred to the said Committee, met this day at 11 o'clock a.m.

Presiding: Mr. D. F. Brown, M.P. (Joint Chairman).

### *Present:*

*The Senate:* The Honourable Senators Macdonald (*Cardigan*) and Taylor.—2.

*The House of Commons:* The Honourable Mr. Stirling and Messrs. Brown, Blackmore, Case, Castleden, Charlton, Farquhar, Harkness, Matthews (*Brandon*) (Vice Chairman), MacLean, MacNicol, Raymond (*Wright*).—12.

*In attendance:* Messrs. W. Ford Pratt; R. A. Hoey, Director, Indian Affairs Branch; B. F. Neary, M.B.E., Superintendent, Welfare and Training; also, Norman E. Lickers, Barrister, Counsel for the Committee and Liaison Officer.

Briefs were filed by Mr. Blackmore and Mr. Lickers.

Mr. B. F. Neary, M.B.E., Superintendent of Welfare and Training made a further statement with regard to conditions on the Squah Reserve, Chilliwack, British Columbia.

Mr. R. A. Hoey, Director, Indian Affairs Branch, was recalled, answered questions previously submitted by Messrs. Bryce and Castleden, made a statement with regard to some aspects of Indian Affairs administration, particularly "centralization" in the Maritime provinces, and was questioned. He recommended that there should be some statutory provision for the care of aged Indians.

The Committee adjourned at 1 o'clock p.m., to meet again on Wednesday next, 2nd July, at 11 o'clock, a.m., when at least part of the meeting will be in camera.

T. L. McEVOY,

*Clerk of the Joint Committee.*





## MINUTES OF EVIDENCE

HOUSE OF COMMONS,

June 26, 1947.

The Special Joint Committee of the Senate and the House of Commons, appointed to examine and consider the Indian Act met this day at 11 a.m. Mr. D. F. Brown, M.P. (Joint Chairman), presided.

The CHAIRMAN: May I have your attention, please.

It would almost appear that there should be some formal recognition of this occasion because of the fact that this is the 65th session of the committee this year and Mr. Hoey becomes our 100th witness.

Mr. MATTHEWS: Mr. Chairman, he does not look like a centenarian.

The CHAIRMAN: I suppose we should give him a top hat, a gold-header cane or something of that kind; why not a tomahawk, that would be appropriate. However, so much for levity.

We have here a number of briefs. There is one from the Fort Chipewyan Indian reserve. If it is your pleasure we will have this filed and it will become a part of the record.

Carried.

Mr. BLACKMORE: Mr. Chairman, I would be quite agreed. I have two briefs; one from a Blood Indian reserve and one from the Stoney Indians. Would it be possible for me to submit them and have them filed?

The CHAIRMAN: We have the Stoney brief. It will be published. The Blood brief is already in our record as Appendix AV at page 876 of our 1946 minutes.

Mr. BLACKMORE: This is a separate submission. It is another brief about the management of the reserve since 1918.

The CHAIRMAN: If you would like to submit it, Mr. Blackmore, I am sure the subcommittee on agenda would consider it. I do not know about putting it on the record.

Mr. BLACKMORE: What would be the deadline?

The CHAIRMAN: I do not know that we could say. There is no deadline as long as we are here, we can always call a meeting up to the time we submit our sessional report. Why not submit it to us and we will take it up at our next meeting. Mr. Hoey as presently planned will be the last witness who will appear before us but we will have other meetings to consider the report we are to submit to the House. You could submit it to me, or to Mr. McEvoy—or to Mr. Lickers—and he will see that it comes before the subcommittee for early consideration.

We also have a brief from the Mississauga of the Credit Indian reserve.

Mr. LICKERS: That adjoins the Six Nations reserve.

The CHAIRMAN: They have submitted a brief which I presume you will wish to have incorporated in the minutes.

Mr. FARQUHAR: Did you say that was from Mississauga?

The CHAIRMAN: From the Mississaugas of the Credit.

Mr. LICKERS: And there is another submission by the Six Nations public school teachers

The CHAIRMAN: Is it your pleasure to have this one incorporated in the minutes—the submission of the Six Nations public school teachers?

Carried.

Mr. LICKERS: I have another one here from Mr. Henry Castillou, K.C., of Vancouver, B.C., covering the Coldwater reserve. Apparently it is a brief which he submitted to Mr. T. R. L. MacInnes, in 1942. It is rather lengthy and it has a number of pictures of dwellings and barns on the reserve.

The CHAIRMAN: We cannot reproduce the printed pictures. The brief is rather lengthy. I wonder if it should not be submitted to the subcommittee for consideration before being printed.

Mr. CASTLEDEN: How many pages of typed matter are there in the brief?

The CHAIRMAN: There are about 14 pages.

Mr. CASTLEDEN: And that is foolscap?

The CHAIRMAN: Yes. It might be submitted to the subcommittee. We could print the typed material but we could not reproduce the pictures in our record.

Now, we will continue with Mr. Hoey, if it is your pleasure.

**Mr. R. A. Hoey, Director, Indian Affairs Branch, Department of Mines and Resources, recalled:**

The WITNESS: Mr. Chairman, Mr. Reid was anxious that a written reply should be made to certain statements that had appeared in the press with respect to the conditions at Squah reserve at Chilliwack, British Columbia.

I have had the Superintendent of Welfare and Training summarize from the reports now on hand—

Mr. BLACKMORE: Mr. Chairman, before Mr. Hoey launches into his main job I wonder if I might ask him to answer later one particular question?

The CHAIRMAN: Yes.

Mr. BLACKMORE: It has been intimated to me that a number of young men on the Blood Indian reserve in my constituency have sought special assistance to enable them to set themselves up in agriculture. I was just wondering if Mr. Hoey had received such a request from them; if so, if he has given consideration to the matter; and, if he would tell the committee what he now proposes to do about it?

The CHAIRMAN: We will proceed with the brief first, Mr. Blackmore; and he can deal with that matter later.

The WITNESS: I think Colonel Neary perhaps had better read this material which was prepared as a reply to Mr. Reid's question about the Squah reserve.

The CHAIRMAN: Yes.

**Mr. B. F. Neary, M.B.E., Superintendent, Welfare and Training Division, Indian Affairs Branch, Department of Mines and Resources, recalled:**

The WITNESS: The information in this report is based entirely upon facts presented in letters from Major MacKay and Inspector Coleman:—

**THE SKWAH INDIAN RESERVE**

This reserve is some 313 acres in extent and lies between the westerly boundary of the town of Chilliwack and the east bank of the Fraser river. The population of the village is 112 and that of the nearby communities

of Skway and Suiala 47. The Indians of the Skwah, Skway and Suiala reserves participate in accounts Nos. 371 and 134, the total sum of which is in excess of one hundred and fifteen thousand dollars.

The Indian agent is Mr. J. Gillett, whose headquarters are in New Westminster. The medical officer is Dr. W. E. Henderson who has been a resident of Chilliwack since birth. There is also a nurse, Miss Dean, employed by the Department of National Health and Welfare. The village presents a fairly neat appearance, most of the houses having been painted. The village has a water system and fire hydrants but this does not extend to houses on farms out of the village, which are mostly served by wells. This latter group of Indians are no worse off in regard to domestic water than their white farm neighbours in many parts of the district, as it is obviously impossible for the department to pipe water into every Indian home.

Educational facilities are available at the Skwah Indian day school, which is a fairly modern building and well equipped, with teacher's residence attached.

Hospital facilities are provided by the Coqualeetza Indian hospital, situated at Sardis, B.C.

The land on which this reserve is situated is good farm land and if developed should be capable of supporting the band population of 112, particularly as the band has three other reserves also capable of considerable development. A great deal of time and effort has been expended, particularly during the war period, in endeavouring to establish the Indians on their reserves in the lower mainland. The Farm Labour Board commissioned leading Indians to secure and hold urgently needed Indian labour for farm work in Canada.

A judge of the Supreme Court once threatened U.S. labour scouts with jail sentences. Inspector Coleman spent considerable time on a flax growing project, assisted by the Dominion experimental farm, but without effect. In spite of endless repatriation troubles, the Indians insist on taking their annual trek to the hop fields across the border.

The indications are that the Indians of this band have ample resources and services to provide them with a high standard of living. Insofar as their welfare conditions are concerned, there is nothing to indicate a single case of what might be described as long term hardship on this reserve or on neighbouring reserves.

Witness retired.

The CHAIRMAN: And now, do you wish to continue, Mr. Hoey?

Mr. HOEY: Yes, Mr. Chairman.

### **Mr. R. A. Hoey, recalled:**

The WITNESS: I would rather prefer this morning to deal with a number of questions that I promised to answer at this session. The first question was one put by Mr. Bryce, and he wanted an explanation with respect to the centralization program that is taking place in the province of Nova Scotia at Escasoni on Cape Breton island and Shubenacadie, near Halifax.

In 1941 the department gave a great deal of thought to the conditions prevailing on the 19 Indian agencies in Nova Scotia. The records going back to 1911 indicated that the population of Indians in Nova Scotia had remained practically static at 2,000, or a little over. The departmental expenditures for the maritimes had gone up from an expenditure of \$54,779.26 in the fiscal year



1910-11 to \$323,352.10 in the fiscal year 1939-40. I believe there were 19 agencies, and the Indian agents in charge, without exception, were part-time agents.

Mr. MacNICOL: On all nineteen?

The WITNESS: Yes. You can see that with 2,000 Indians spread over 19 agencies they were in comparatively small groups, and the number in no case would justify the employment of a full-time Indian agent. The population appeared to be remaining static but the expenditures appeared to be mounting rapidly. The minister then in charge of the department, the Hon. Mr. Crerar, decided to have a thorough investigation undertaken. He selected Mr. W. S. Arneil. Mr. Arneil had served four years with the Soldier Settlement Board and had served on the Canadian Farm Loan Board as appraiser, and had been associated with the Dependents' Allowance Board in Ottawa, and the minister felt, and the officials of the department felt, that he was ideally qualified to undertake such an investigation. The present program of centralization was undertaken following Mr. Arneil's recommendations and I want to read very briefly one or two statements from his report:—

...The part-time agent has little time to act in an advisory capacity to the Indians and still less time to act as the agent in securing part-time employment or assisting the Indians in the sale of their handcraft products.

Another factor standing in the way of any substantial reduction in annual expenditure is the existing system of medical care. This system despite its unreasonable costs appears to be wholly inadequate to maintain a reasonable standard of physical fitness amongst the Indian population. One might refer particularly to the ravages of tuberculosis, evidence of which was encountered periodically during the course of my inspection. Nor was I convinced that the attempts made by our medical officers to control venereal diseases have been wholly successful. I could not escape the conclusion that unsanitary home conditions—one might refer to them as filthy conditions—are in no small measure responsible for the origin and spread of diseases which render hospitalization, with its resultant cost, necessary if not imperative.

Then, later he states:—

...One finds the problem of illegitimacy in evidence more or less on all the mainland reserves and the Sydney agency, Cape Breton island, with little or no attempt made by the part-time agent to correct this condition. One might be justified in stating that the young Indian girl is looked upon as legitimate prey by a section of the population. When I refer to a section of the population I have in mind particularly transients, negro and white, who periodically drift into the province. It is gratifying to report, however, that one is not confronted with the problem of illegitimacy in three of the agencies in Cape Breton island; Glendale, Iona and Christmas Island. In these three agencies the average population is greater than that of the mainland agencies. These Indians, however, live on their reserves which are not close to urban centres. I am definitely of the opinion, after a careful investigation, that the standard of morals and decency reached by these Cape Breton Indians is due almost wholly to the supervision and influence of the parish priests. It is significant and worthy of note that in each of these agencies the parish priest is the Indian agent. The last illegitimate child born at Glendale agency was in 1933 and one would have to go back much further to find a case of illegitimacy on the Iona or Christmas Island reserves.

The fact that there appears to be less consumption of alcoholic liquor on these reserves can be attributed also to the wholesome and uplifting influence exercised by the agents.

We decided from that report—many of you have read the complete report—to abolish 17 of the 19 agencies that existed at the time and to centralize in groups, one at Escasoni and the other at Shubenacadie. Now, the original acreage of the reserve at Escasoni was 2,800 acres. The branch immediately purchased approximately 3,860 acres of which acreage 860 is agricultural land and 3,000 is timber land. The cost of the land purchased at Escasoni to this date is \$30,888.48. At Shubenacadie the original reserve consisted of 1,715 acres; 1,768 acres were purchased at a price of \$10,477. Now, members of the committee who come from the west and who are accustomed to large holdings, and who have witnessed the operation of large holdings will be disturbed a little perhaps at this limited acreage; but if you will turn to page 10 of your minutes of 1946, table No. 3, you will see that the total acreage of the reserves taken over under the centralization program was 18,188; of that area 17,441 were heavily wooded; and the acreage cleared but not cultivated was 531½ and the acreage under actual cultivation was 215½.

However it was decided to centralize these groups and to put in full-time agents. Two full-time agents are already employed. Also employed at each reserve is a full-time medical officer and we want to establish on each reserve a nursing station with a qualified nurse in charge. And perhaps, most of all, we want to establish on each reserve a 4-roomed graded Indian school.

Now, I would not be fair to the committee if I did not state that, from the outset, there was a division of opinion in the department itself with respect to the feasibility of this whole program. I have always taken the position that unless our schools function properly by carrying out a program of education based on the actual needs of the group concerned, bringing them up to a point where their education and moral standard will permit their leaving the reserve and taking their places as blacksmith, mechanic, carpenter, fisherman, and so on then the project must, of necessity, fail. It was never our intention that these two reserves should be used for anything other than a training ground, and a home of refuge, if you like. Now, any Indian gainfully employed in the province of Nova Scotia can remain where he is. No compulsion has been exercised, but we have used our powers of persuasion because the educational, medical and administrative setup is such that we think we can serve them at these two points better than when and if they were scattered all over the province. It is just lately, at a conference of the Indian agents for the province of Quebec and the maritimes that I discussed with the Indian agent in charge of Escasoni the advisability of setting up one or two small factories on that reserve—probably lumbering—and he suggested that there was a great opportunity for the establishment of an axe-handle industry and he thought perhaps a basket-making project should be still further developed. We now have at that agency a co-operative store. That store will be operated under an advisory board made up of the Indian agent, the principal of the school, the chief of the band and any others whose assistance they may seek.

Now, I do not know that there is much that I can say other than that. What the future will hold in store is something that I cannot prophesy with any degree of certainty. At the time it appeared to be the only thing we could possibly do. Complaints came from the homes of the white residents, where we have these small groups of Indians, about the moral relations, the temptations besetting their sons—some of these complaints have come to members of parliament, and some have come by way of letter. It was really very, very disturbing. We thought that this was the only thing we could possibly do. Now, a number of members visited most of these spots and their



opinions on the worthwhileness of the set-up will be even better than mine, because I have not had the opportunity of visiting either of these reserves.

Next, I would like to answer a question put by Mr. Castleden. Mr. Castleden was anxious to know what program we had in mind for groups of Indians living on reserves where the land and resources were wholly incapable of supporting Indians, such as Indians who are living on land which is not capable of producing crops and where there were insufficient hunting grounds. We made a start in the province of Alberta, last year, as Mr. Harkness knows. We bought \$225,000 worth of land for the Stoney Indians. Mr. Allan, our superintendent of reserves and trusts, is out there at the present time negotiating with the provincial government for the purchase of additional land for the Nordegg Indians. We have \$160,000 in our supplementary estimates this year to purchase additional land for the Nordegg Indians and one or two other groups there.

Then you come to the province of Manitoba; development of the Summerberry area and other areas was decided on by the department to supply the Indians with a resource and with an opportunity to become self-sufficient and self-reliant. Where you have a group—such as the group which appeared before the committee who claimed that their reserve land was wholly incapable of supporting them, and we have Mr. MacNicol's word for that—I would say that the only thing we can do at the moment is to stake out additional land. If they are a hunting and trapping group of Indians, then we should seek to secure from the provincial government the leases on the hunting and trapping ground necessary to maintain that group of Indians. In the north country it is comparatively simple. When you get down south and wish to purchase land there are reactions. Already in Alberta the purchase of land in the well-settled districts has a disturbing effect on municipal government in that the purchased properties become tax-exempt. When you go into a well-settled district in Canada where you have a municipal government functioning, purchase of land on a large scale cannot be done without causing a great deal of disruption and dissatisfaction; but in the north country it can be done with comparative ease.

Now, to come to Ontario. Since I came into the department, we have leased from the Ontario government 47,000,000 acres of land for selection and development. I refer particularly to the beaver projects. Of these projects, only one or two have begun to come into production. But I think that the development of these projects in northern Ontario and northern Quebec is one of the biggest things the Indian department has ever attempted.

Perhaps I mentioned before in answer to a question in this committee, that Dr. Cooper of Washington university, who has spent 32 years in anthropology, travelling between Prince Edward Island and the Queen Charlotte islands, and has lived among these people for 32 years, in a brief statement to the department made a declaration that Canada was unique in that it had resources in that north country, potential fur resources, which in his judgment would enable this country, if well conserved and scientifically developed, to pay off its national debt in a comparatively short period of time. Members of the committee must have been deeply impressed by the statements made to this committee by Mr. Conn. The Ontario government has now become deeply interested in the development of a larger district up there and we hope shortly to be in a position to secure leases for other large areas. I am confident that the Ontario government will ask for the development of that northern area as a provincial project, although there is now way of being certain of that at the moment. We are hopeful that they will develop a large area in northern Ontario as a provincial project, and we have the assurance that should they do so the Indians will be amply provided for because the Indian is unexcelled as a trapper and hunter. That is what Dr. Cooper said: other countries of the world may have potential fur resources, but in Canada we have not only the potential



fur resources, but we have the personnel, people who have become over a period of centuries acclimatized to living there in a way that the white hunter and trapper never has. I have delivered a great many speeches in this country in which I declared that agriculture was the great basic industry of Canada. I have been wondering within the last two or three years if I was not misleading the public; fur, after all is a great basic industry in the Dominion of Canada. There is a real foundation in the North for future development, providing it is carried on along scientific lines. And you will recall, it was the fur resources which led to the opening up of the North American Continent.

And now, in Quebec, in addition to the leasing of land in the north we have been purchasing land at Oka, and I have already indicated what we are doing in the maritimes.

Finally, I come to Mr. Blackmore's question. I have stated that Mr. Allan, superintendent of reserves and trusts, is already in Alberta, and has been there for a couple of months. He is authorized to conduct negotiations with respect to the purchase of additional land. We asked him to visit the Blood reserve and have a look at conditions there, and if possible, to meet a group of young Indians who are deeply interested in becoming established as agriculturists on small holdings of from 50 to 100 acres. By the way, we have received a report from Mr. Allan and I have put an item of \$25,000 in the supplementary estimates for this year for the purchase of tractors and seeds, power plants, threshers and one combine; and Mr. Allan in one of his preliminary reports on this matter—and I am particularly anxious to bring this to the attention of the committee—indicated that the Blood band was about to receive \$200,000 from the Prairie Farm Rehabilitation scheme, and maybe another \$100,000 from the St. Mary's irrigation project. If Mr. Allan and I had a free hand we would place that money to the credit of the Blood band and use the interest almost wholly for the establishment of the young Indians who are anxious to become farmers, or who are interested in agriculture and want to remain on the reserve, or make a contribution to the band by operating farms. We would put it on deposit and use the interest, and perhaps supplement it, in the establishment of these young men. But here is what we are confronted with from the administrative standpoint: if that money is paid to the Blood band, the older men particularly the men from 65 to 70, are going to demand a substantial cash distribution. \$100,000 has been mentioned. Well, we do not believe that such a cash distribution would be a good thing, even for the elderly Indians.

Mr. ALLAN: I do not think it is a good thing to disburse funds, but the demand will be made. Those funds will have to be disbursed in conformity with a resolution of the band. If the band pass a resolution asking that distribution be made, then the minister is rather helpless in the matter. And now, let us put ourselves in the place of the old Indian. He has lived for years on the Blood reserve, he is finally incapable of continuing to earn his living—remember he would be around 65 or perhaps even 70—and he says: if this is added to the capital of my band what hope have I of benefiting in any way from the annual interest payments that accrue from year to year; what I need is a little help, now; what I need is social security, now; what I need is repairs to my home, now. One can readily understand his position. That leads me to express this view; we are confronted with that problem not only at the Blood reserve but at a great many other reserves. If a contemplated sale had gone through at Sarnia we would have been confronted with such a demand there.

That leads me up to the point where I must express regret that there has not been some statutory provision made for the care of aged Indians. It would simplify a problem, especially the one which confronts us now on the Blood reserve, and it would relieve our Indian agents of a great deal of detail work which takes up—as home of the Indian agents have told me—two-thirds of their time, providing relief; settling disputes at the store; checking up as to whether the recipient has actually received the relief to which he is entitled;

sending in distinct and separate vouchers for each recipient; answering departmental correspondence. They are really a relief agency. Again, again and again I have been told by the Indian agents that they are relief agents, that they have no time to devote to worthwhile constructive programs on their reserves such as the promotion of agriculture, such as the request for establishment from this group of young men. And you will find in my original submission in 1946 that I estimated that, of the \$1,000,000 provided for welfare through the department, until the outbreak of the war, 82 per cent was spent in relief. At the present time I would hazard a guess that 70 per cent of that \$1,000,000 is spent in relief. It is not the cost I am dealing with at the moment. It may be adequate, or it may be inadequate. I am bringing up some of the administrative difficulties that arise, from the standpoint of the Indian agent and his care of the Indians, by reason of the demands that come to us from time to time for cash disbursements, such as the demand which is likely to come from the Blood band, and which force us to make disbursements which we do not think are sound, either from the standpoint of the department or from the standpoint of the Indian himself.

Mr. CASTLEDEN: If the Indian were more economically secure you will agree there would not be the need for these relief distributions?

The WITNESS: Oh, no. I would be in sympathy with the old Indian who has the greatest problem to face.

Mr. CASTLEDEN: My problem is this. If that Indian had been given an opportunity to make a living for himself and had built up proper provision for his old age, there would not be the necessity for this large expenditure for relief. If you have a large number of Indians—and it is quite evident that there are quite a large number—who are living on reserves where they cannot make a living, if it were not for that, the need would not be so great, would it?

The WITNESS: Well, if the Indian had the opportunity, and had taken advantage of it and had provided for his old age, he would have a sense of security and he would not present any particular problem; but a great many of them have not had the opportunity or have not taken advantage of it if they had it, and they have no real sense of security, they are really in need.

Now, Mr. Chairman, as I said at the last meeting of the committee, in my judgment the Indian service is largely administrative, or perhaps two-thirds administrative and one-third legislative. I have noticed that members of the committee from time to time when our senior officials were on the stand, that is the senior officials from the provinces, the members were constantly asking how many agencies they had under their direction, how many farming instructors they had and so on; and I have a statement here which I thought would be helpful to the committee and I am going to suggest that it be put on the record.

The CHAIRMAN: Is it your pleasure that this statement be put on the record, gentlemen?

Carried.

The WITNESS:

#### BRITISH COLUMBIA—

Population, 25,515.

Indian agencies, 18; Indian farming instructor and constable, 5.

Schools:

Residential, 13.

Day, 56.

Enrolment, 4,160.

Hospitals, 3; Beds, 590.

Land, 832,085 acres.

## ALBERTA—

Population, 12,441.

Indian agencies, 10; Farming instructors, 19.

Schools:

Residential, 19.

Day, 1.

Enrolment, 1,987.

Hospitals, 5; Beds, 467.

Land, 1,403,851 acres.

## SASKATCHEWAN—

Population, 14,158.

Indian agencies, 9; Farming instructors, 31.

Schools:

Residential, 14.

Day, 28.

Enrolment, 2,652.

Hospitals, 2; Beds, 103.

Land, 1,193,452 acres.

## MANITOBA—

Population, 15,933.

Indian agencies, 7; Farming instructors, 10; (seasonal), 1.

Schools:

Residential, 9.

Day, 43.

Enrolment, 2,650.

Hospitals, 6; Beds, 210.

Land, 483,130 acres.

## ONTARIO—

Population, 32,421.

Indian agencies, 24; Farming instructors, 3; (seasonal), 1.

Schools:

Residential, 13.

Day, 76.

Enrolment, 4,426.

Hospitals, 3; Beds, 77.

Land, 1,303,485 acres.

## QUEBEC—

Population, 15,194.

Indian agencies, 18; Farming instructor, 1.

Schools:

Residential, 2.

Day, 30.

Enrolment, 1,548.

Hospitals, Nil.

Land, 183,375 acres.

## NEW BRUNSWICK—

Population, 2,047.

Indian agencies, 3.

Schools:

Residential, Nil.

Day, 10.

Enrolment, 357.

Hospitals, Nil.

Nursing stations, 4.

Land, 37,753 acres.



## NOVA SCOTIA—

Population, 2,364.

Indian agencies, 2; (before centralization, 19).

Schools:

Residential, 1.

Day, 9.

Enrolment, 533.

Hospitals, Nil.

Land, 19,787 acres.

## PRINCE EDWARD ISLAND—

Population, 266.

Indian agencies, 1.

Schools:

Residential, Nil.

Day, 1.

Enrolment, 28.

Hospitals, Nil.

Land, 1,667 acres.

## NORTHWEST TERRITORIES—

Population, 3,816.

Indian agencies, 3.

Schools:

Residential, 4.

Day, 2.

Enrolment, 272.

Hospitals, Nil.

Land, 5,918 acres.

## YUKON—

Population, 1,531.

Indian agencies, 1.

Schools:

Residential, 1.

Day, 6.

Enrolment, 192.

Hospitals, Nil.

## Indian Population as of 1944

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Alberta.. . . .	12,441
British Columbia.. . . .	25,515
Manitoba.. . . .	15,933
New Brunswick.. . . .	2,047
Northwest Territories.. . . .	3,816
Nova Scotia.. . . .	2,364
Ontario.. . . .	32,421
Prince Edward Island.. . . .	266
Quebec.. . . .	15,194
Saskatchewan.. . . .	14,158
Yukon.. . . .	1,531
Total.. . . .	125,686

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## Parliamentary Appropriation for 1947/48

Indian Affairs.. . . .	\$ 6,761,254
Indian Medical Services.. . . .	4,638,808
Total.. . . .	<u>\$ 11,400,062</u>

## Indian Affairs Staff

Employees in the field (including 427 casuals and 339 school teachers) . . . . .	1,160
Employees at Indian Affairs Branch H.Q., Ottawa	72
Total.. . . .	<u>1,232</u>

Annual Production Figures for Province of Alberta  
Grain Production 1946

	Bushels
Wheat.. . . .	246,862
Oats.. . . .	258,992
Barley.. . . .	38,274
Flax, Corn, etc. . . . .	6,674
Total.. . . .	<u>550,802</u>

## Live Stock as of 1945

(1946 figures not yet available)

Departmental bulls.. . . .	Head 247
Steers:	
3 yrs. old.. . . .	317
2 yrs. old.. . . .	1,760
1 yr. old.. . . .	2,205
Cows.. . . .	7,318
Heifers:	
2 yrs. old.. . . .	1,789
1 yr. old.. . . .	2,200
Total.. . . .	<u>15,836</u>

## Fur Conservation

Total Indian revenue to date from 6 fur preserves....\$ 471,299 46

It is to be noted that 5 of the 6 preserves have not yet attained full revenue producing status and that the above figure includes revenue from the Summerberry fur rehabilitation block alone the sum of.....\$ 311,648 81

I do not think there is anything more I have to submit at the moment.

Mr. MACNICOL: Can we go ahead and ask questions now?

The CHAIRMAN: Yes. I believe Mr. Farquhar has a question he wants to ask, first.

*By Mr. Farquhar:*

Q. There is a question I would like to ask about the Indians on the Brunswick House reserve up in my constituency, that is the reserve near Chapleau. Their complaint is that the reserve on which they were located 25 years ago was sold, and when it was sold there was a definite understanding that they would be provided with another reserve, and they claim that has not been done. Can you give some information on that?—A. Yes. That reserve was sold, as they state, to the provincial government. The land was sold, but the timber remained the property of the Indians and it has not all been disposed of, yet. Then we entered into negotiations with the government of Ontario for the purchase of a suitable reserve to take the place of the one disposed of; and about a year ago I took the matter up with the Deputy Minister of Lands, and Inspector Arneil and I had agreed then on the location of the reserve and its acreage, and they promised to go into the matter and let us have a new reserve for a nominal sum. We could not just agree during the course of that interview on the price. It was a very nominal price, but we pointed out that we had surrendered the old reserve for a nominal price and they should be a little more reasonable. I left that interview on the understanding that the deputy would take it up with his minister; but I do not know, Mr. Farquhar, what progress has since been made but I would be surprised if Mr. Arneil has not come to some definite understanding with them already in the matter. I can check upon that for you and let you have a report. It is now just a matter of working out the price.

Mr. CASTLEDEN: But the matter is twenty-five years old.

The WITNESS: Well, the disposal of the timber tied things up for a while. It was finally agreed with the province that the timber would remain the property of the Indians.

Mr. CASTLEDEN: That should not interfere with the establishment of these Indians on a new reserve. How many Indians are there there?

The WITNESS: I forget. There were not many of them.

Mr. FARQUHAR: I think there were about 125, around that.

The WITNESS: Yes.

Mr. FARQUHAR: I would also like to take up a matter which came to my attention a while ago. It was in connection with repairs to schools. There are some schools up there which are not in very good repair.

The WITNESS: You refer to residential schools?

Mr. FARQUHAR: Yes.

The WITNESS: Do you mean the one at Chapleau?

Mr. FARQUHAR: Yes, at Chapleau.

The WITNESS: Colonel Neary can tell us about that.

Mr. MACNICOL: The children are playing around all the time instead of being in school.

Mr. FARQUHAR: I didn't hear about that. Was that at the separate school at Chapleau?

Mr. MACNICOL: I think that is it.

The CHAIRMAN: Would that not be the one at Temagami. And there is a school at Gull Lake. There were complaints about those, too.



Mr. MacNICOL: I thought it was at Chapleau.

The CHAIRMAN: Shall we proceed in the usual manner, around the table?

*By Mr. MacNicol:*

Q. You were speaking about the Blood reserve. You have been over the Blood reserve. You know the topography of the ground; roughly it is about 260 feet from the escarpment down to the St. Mary's river which forms the boundary of the Blood reserve. Perhaps I should put it this way, it is 260 feet from the river level to the height of land on which the reserve is located. When the dam on the St. Mary's river is completed, I believe it is to be about 155 feet high, there would not be any reason that I can see why water could not be pumped from the reservoir, or lake if you like, up onto the land on the reserve. That is the only way I know of by which you could make that land worth anything. The Indians on the Blood reserve cannot do anything without water, but they can do a lot if they have water there. So I would say to the department that they should have pumps installed to irrigate the land on this Blood reserve. That is not very far from Cardston where they irrigate the land and they get tremendous crops. You could do the same thing on the Blood reserve and that would take care of these soldiers to whom you contemplate giving land. You could follow the same programme there as they are following down in the United States where they give 80 acres of irrigated land to the boys. You would need to develop a very considerable programme of irrigation to build up the Blood Indian reserve. Have you any such plan in mind?—A. I cannot truthfully say that we have. I think that is one of the phases which Mr. Allan will be studying now because he is out there for that purpose. We think he will have something to report in that regard. The development of the reserves, that is the reserve set-up, comes in his division.

Q. I think you ought to do something of that kind because the public around there will not put up forever with land of that high quality remaining uncultivated. I know that on each side of the reserve the people are protesting about it not being developed. Tremendous crops could be taken off that land. Therefore I recommend that the department consider that as a very reasonable suggestion. All they are raising out there now is cattle, and there is not very much in that.—A. Perhaps the committee might be interested in the acreage here. It serves as a striking contrast to the acreages in the east. There is 349,288 acres.

Q. Yes, it is a big acreage, and it is divided almost exactly by the St. Marys and the Belly rivers. It is a tremendous area of land.—A. Yes, and at Lethbridge all those people around there and around Cardston will not tolerate that land lying uncultivated very much longer.

Mr. CASTLEDEN: It is capable of supporting large numbers in wealth.

Mr. MacNICOL: Decidedly. They could do a tremendous job there.

*By Mr. MacNicol:*

Q. Now, Mr. Chairman, I am going to refer to a question which I asked a day or two ago and with respect to which we received some varying replies; as to what had been done in New Brunswick about the movements of some Indians at Oromocto. That is one of the points which was visited when some were down there as a royal commission last year. I see the name mentioned here in this copy of the *Sentinel-Press*, of Woodstock, N.B., dated June 12, 1947.

I would just like to read into the record certain parts of this letter written by Chief William Saulis, of the Tobique reserve:

TOBIQUE RESERVE, N.B.,

June 3, 1947.

To the Editor,  
The *Sentinel-Press*.

I wish that you could spare space in your press for my appeal to the public in eastern Canada for the welfare of the Indian race. The public by now knows the condition of the Indians and their reserves and that a special joint committee of the Senate and the House of Commons is inspecting the Indian Affairs branch, which was appointed at the time of Confederation by the dominion government to be the guardian and the trustee for the whole Indian race in Canada, and that it has had full power for administration over the Indian race to its own taste, and the Indian himself has had no choice. Whether or not the laws of the Act fulfill the requirements for his welfare, he has to live accordingly. Many men have visited the Indian reserves from the Department of Indian Affairs branch in all these years, complaining about the Indian not being self-supporting.

I will not read all of it, although I think it should all be on the record. And it continues:

I will make my appeal with Chief Paul of the Oromocto reserve and with Mr. E. T. Adney of Upper Woodstock. I protest at having this go on and I call on the rights of the public to send their protests to the joint committee in the House of Commons for this is not the wording of the treaty. The wording of the treaty is that the Indians were to be left peacefully on their reserves. They were not to be molested by any of His Majesty's subjects.

I judge that the Indian Affairs branch is overstepping its trusteeship, going beyond His Majesty's word of honour. Those that sympathize with the Indians should act at once.

I would like to refer for a moment to Mr. E. T. Adney, of Upper Woodstock. I believe he is perhaps the best-informed man on Indian affairs that we have to-day in that part of the country. My own idea was that it would have been well for us to have invited Mr. Adney here so that we could question him before this committee.

Now, my question relates to the proposal to remove these Indians away from Oromocto which the commission visited, and which I also visited some years ago. May I ask if it is correct that these people are being forced to move from the Oromocto reserve?—A. No, that is not correct.

Q. Could you give me any information as to why a report of that kind should get around? I think the department is capable of following the proper procedure, but whatever is done should be done with the approval of the chief of the band of that reserve.—A. The Oromocto reserve is a very small reserve, about 125 acres.

Q. Oh yes, it is small.—A. I had the assistant chief of the division of reserves and trusts look into that in the absence of Mr. Allan following your question, and here is what he said in reply:

As requested, the following information is furnished in connection with the purchase of land at Escasoni and Shubenacadie, Nova Scotia and Kingsclear, New Brunswick:

*Escasoni*

Acreage of original reserve—2,800.

Branch purchased approximately 3,860 acres. Of this acreage 860 is agricultural land and 3,000 timber lands. The cost of all land purchased at Escasoni is \$30,888.48.

*Shubenacadie*

Acreage of original reserve—1,715.50.

1,768 acres purchased and the purchase price is \$10,477.

*Kingsclear*

Approximately 500 acres purchased from Mr. Charles Murray and negotiations proceeding with the Roman Catholic church for an additional 10 acres. The purchase price is \$13,000 to Mr. Murray and \$400 to the R.C. church, making a total of \$13,400.

It is my understanding that this land was required to provide better agricultural land for the Indians of the St. John river valley, that is, the Ormocto, Woodstock, St. Mary's, Devon and Kingsclear reserves, and particularly for the purpose of locating Indian veterans who were eligible for grants under the provisions of the Veterans' Land Act.

As you are aware, we have had some correspondence with Mr. Adney of Woodstock, N.B., regarding a complaint from the Indians that they would be compelled to move to Kingsclear. However, it is my understanding that it was the intention that centralization would be on a purely voluntary basis and that it was not the intention to compel any family to move to Kingsclear against their wishes.

(Sgd) M. McCRIMMON  
for D. J. Allen, Superintendent,  
Reserves and Trusts.

Now, myself, I have not written but I have signed several letters declaring emphatically that no compulsion would be exercised, and the head of a legal firm in the city of Ottawa—I forget his name at the moment—came to see me a few days ago and I told him exactly what had taken place and what was likely to take place and he went away apparently satisfied, and he said he would write at once and reassure his clients that there is no element of compulsion in the maritimes. We have no statutory right or departmental right or ministerial right to ask any group of Indians to abandon their reserve.

Mr. MACNICOL: That ought to be satisfactory. I quite appreciate that you want to give land to the veterans, and they cannot always be accommodated on the home reserve. As I recall it, one of the things made there is baskets.

The CHAIRMAN: Yes, some make baskets, and some make axe handles.

Mr. HARKNESS: While we are on that point; Mr. Hoey says that there is no compulsion used to force an Indian to leave or go to a particular reserve. In my opinion there is compulsion, and a very considerable amount of it, particularly in so far as the veteran is concerned; because the veteran is told, if you go to this reserve—in this case it is Kingsclear,—we will approve your grant for \$2,320; we will build you a house and get you started on a farm; but if you do not go to that reserve we will not approve of it. In other words, there is compulsion to the extent of his \$2,320 on an Indian veteran down there to move off his own reserve in order to get the benefits due him under the Veterans' Land Act. In fact, there is a considerable measure of compulsion.

The WITNESS: But if he cannot qualify on his own reserve, he has to move to one where he can get his \$2,320 grant. The only way he could get that and remain on his own reserve would be through an amendment to the Veterans' Land Act, as it stands now; otherwise, he cannot qualify, and that is something over which parliament alone has control.



The CHAIRMAN: What should he do then?

Mr. HARKNESS: Well, there are several reserves on which there is sufficient land to enable the veteran to qualify. He needs only three acres to qualify, and that is available on most of these reserves. Let us take Devon reserve; even there there are several veterans settled and more could have been settled; and on the other reserves there is room to qualify all these people who are applying, so far as I can see, but they are not allowed to build or go ahead under that scheme. That applies particularly at Oromocto. From what I have seen it appears to me that there is ground for serious complaint about the way in which the administration of the grants to veterans is being carried out down there.

The CHAIRMAN: Is it not a fact, Mr. Hoey, that if they want the veterans' grant they must move off their home reserve?

The WITNESS: Yes, because of its size.

Mr. CASTLEDEN: But if they want to stay on the home reserves?

The CHAIRMAN: They want to be on the home reserves, but it is a question of whether it is economically feasible for them to make a living at the only location where they can qualify under the present Veterans' Land Act regulations.

Mr. CASTLEDEN: I understood that they do want to stay on the reserve.

The CHAIRMAN: No, I don't believe so.

Mr. HARKNESS: In my opinion, it was much more advisable to give these Indians the advantage of this grant on those reserves where they are close to a town where they are employed than it would be to remove them to a place like Kingsclear where they will have no prospect of work, where they will be far away from town and where they could not get employment. It seems to me that by compelling them to remove to Kingsclear you are taking them away from the possibility of their making themselves economically independent.

The CHAIRMAN: Of course, on this Devon reserve, to which you referred, there are some veterans' houses being erected. We saw that when we were there, did we not?

Mr. HARKNESS: No, there were not. There were actually only three on the Devon reserve as I remember it, that had been erected, and for which permission had been given; but the whole thing has been stopped, and other veterans who were applying were told that the only condition under which they could get the benefit of the \$2,320 would be by moving to Kingsclear, that they could not get it otherwise. That is why I say it is not only compulsion, but I think it is an indignity to the Indian veterans themselves.

Mr. CASE: May I ask Mr. Harkness if there was any more land available at Devon?

Mr. HARKNESS: There is a certain amount of land at Devon, but I believe more land could be acquired nearby; but apart from Devon altogether, on these other reserves there was plenty of land available. Devon was the only one on which the question of land entered into it at all; and the Indians from the other reserves were told that in order to get the benefit of this grant they would have to move to Kingsclear.

The CHAIRMAN: What we must keep in mind is what is to the advantage of the Indian. If it is to the advantage of the veteran that he should move out of a reserve such as Devon, then I think that is what we should recommend.

Mr. CASE: It seems to me that the Indian veteran is just as much entitled to receive the benefit of his land grant of \$2,320 as is any other veteran, and he has a right to have some say as to where it is to be spent.

Mr. MATTHEWS: Is not this a matter which would come entirely under the Department of Veterans' Affairs?

The CHAIRMAN: Yes, I think so. But take Devon, you will recall that the houses there were very close together.

Mr. HARKNESS: Say we leave Devon out of it. The same situation applies to other reserves. Actually, also at Devon there was sufficient land for at least three or four more to be located on that reserve but they are not allowed to build. On the other reserves there was plenty of land, and they were not even trying to go ahead. It seems to me that this is an absolute scheme to compel and force these Indian veterans to go to Kingsclear. There is no question in my mind about that. I think Senator Taylor and Mr. Lickers agree that that is the case.

The WITNESS: What nearby reserves did the committee visit?

The CHAIRMAN: We visited most of the reserves along the St. John river.

*By Mr. MacNicol:*

Q. The reserve in that area that is causing most trouble is the Oromocto reservation, and they claim that some land across the road from the reservation used to belong to the reservation and was sold by someone who had no authority to sell it, and they claim that if they had that land back again they would have all the land they need for their veterans.—A. At Woodstock there is a total acreage of 153 acres.

Q. Have you got the original acreage, long ago?—A. The records show here was transferred to the dominion government at confederation 152 acres and they have it yet.

Q. How did they get the idea that they had some more land?—A. Oromocto is 125 acres. I do not see how you could settle any returned veterans on that. I did want to say to the committee that following Colonel Harkness' representation, a few weeks ago I arranged with Major Patrick to go down there immediately following the Quebec conference of Indian agents. He is visiting all those points personally and meeting the returned men.

The CHAIRMAN: Will you tell us, for the purpose of the record, who Major Patrick is?

The WITNESS: Major Patrick is the senior branch official in charge of administration of the Veterans' Land Act, and his was one aspect of our administration that I hoped would be carried through with dispatch and without criticism and with a good deal of warmth and enthusiasm. I think in the whole of the dominion this present case is, perhaps, the only criticism we have had, and I think it all arose from the fact that the local administrative officers were convinced that it would be a cruel thing and a hardship to establish a man on three acres of rock or three and a half acres of rock. We bought a farm at a substantial cost to the department—good agricultural land—in an attempt to let these men have a beautiful home and barn. You can see by the price that it is a good farm. We had to use persuasion to get it. Maybe we made a mistake; maybe we should have let them settle on a rock-bound reserve and paid out the money. When Major Patrick comes back—maybe before the sittings of this committee end—you will be able to question that experienced official who has been on the ground and who has had discussions with the veterans concerned and who can be far more helpful to you than I could possibly be. I can speak only to the general program we had in mind.

*By Mr. Harkness:*

Q. The point is that you bought only 500 acres and most of that is not good agricultural land. If you try to settle thirty or forty veterans there

they cannot make a living by farming. In my opinion it is far better to have them build on the reserve they are on. Consider the people at Devon, even if they have only an acre or less, they have employment at Fredericton.—A. We could not, Colonel Harkness, under the existing regulations. They would have to have three acres.

Q. The only place that applied was at Devon. You could have put up more veterans at Devon. It did not apply at other places. I do not look upon this as being anything but an excuse for the compulsion to make Indian veterans leave their own reserve and go to Kingsclear.

Hon. Mr. TAYLOR (*Joint Chairman*): At Devon the Indians had full employment in Fredericton and wanted to stay there. If they move to Kingsclear they may be deprived of employment. But if they stayed in Devon they could not receive the benefits under the Veterans' Land Act.

Mr. MacNICOL: Do they not send the children from Oromocto in to the high school at Woodstock? Some of them have been educated there.

Mr. HARKNESS: It all seems to me to be an effort down there to force all these Indians away from the edge of the town where they are employed to Kingsclear which is an isolated spot and where they would have no opportunity to make their living. They would be there with a few acres of poor land on which nobody could make a living.

Mr. MacNICOL: Where is Kingsclear?

The CHAIRMAN: About 15 miles north of Fredericton. It was called French village.

Mr. MacNICOL: Is it on a river?

The CHAIRMAN: It is on the St. John river and it is on the highway. There is a nice farm there.

Hon. Mr. TAYLOR (*Joint Chairman*): As far as agriculture is concerned, I think it is ideal.

Mr. HARKNESS: It would be all right for two or three men, but is it hopeless for thirty or forty to make a living there by farming.

Hon. Mr. TAYLOR: For the veterans who want to follow agriculture it is fine.

Mr. HARKNESS: There is only enough land to support two or three farmers.

Hon. Mr. TAYLOR: I would say it would support more than that, if land on the present reserve was cleared.

The CHAIRMAN: Do the Veterans' Land Act provisions permit a person building on a 40 foot lot?

Mr. HARKNESS: No, he is supposed to have two acres.

The CHAIRMAN: He cannot get two acres at Devon and at Devon there is nothing but rock.

Mr. HARKNESS: I was leaving Devon out of it. The same policy has been followed as far as the other reserves are concerned where they can get three acres.

Mr. MacNICOL: Would it be possible for the committee to recommend that the pertinent legislation amended in so far as the Indians on the St. John river are concerned, because they have been there for 300 or 400 years?

The CHAIRMAN: It is to be hoped that early next session if this committee is reconstituted, as I expect it will be, we will get into the revision of the Indian Act immediately.

Mr. HARKNESS: There may be some chance along that line.

Mr. CASE: I wonder what Mr. Hoey would say about the representations made by the Indian veterans which were in effect to be permitted to stay on



the land that belonged to them on the reserve, and that that would not be a grant. That is what they complained about; that they should have consideration given to the fact that the land really belongs to them.

The CHAIRMAN: I should say it belongs to them as a sort of joint venture; it belongs to the band.

Mr. CASE: Yes, if you grant an Indian that land, conversely you are taking it from the Indians of the band.

The CHAIRMAN: I do not think you grant the Indians the land.

The WITNESS: Before he can qualify under the Veterans' Land Act he has to be given a specified area which has got to be surveyed and allotted to him. Until that is done he owns it only in the sense that we who sit here own the parliament buildings. We may, but we cannot dispose of them. There are other people interested. The Indian owns reserve land in common until he gets his location ticket; then he can lease it at the consent of the band or he can sell it to another Indian. When he dies his heirs inherit it.

Mr. CASTLEDEN: That was one of the objections.

The WITNESS: Yes.

Mr. CASTLEDEN: Many of the Indian bands do not like to allocate land; they like to hold it, in a community way.

The WITNESS: When we had the Saskatchewan chiefs before the committee one of them, whose name I have forgotten, promised me definitely that that would present no difficulty.

The CHAIRMAN: It is fair to state that the Indian, if he is off the reserve, can get the same benefits under the V.L.A. as a white person.

Mr. HARKNESS: That does not enter into this matter. In the Veterans Affairs committee we passed this provision that as far as Indians are concerned they could get this grant of \$2,320 on the reserve, and the situation in New Brunswick and also Nova Scotia is that the Indians—because of the regulations or the policy to be followed by the Indian Affairs Branch—are not allowed to take advantage of that grant unless they go where the Indian Affairs Branch say they must go—to certain specified places like Shubenacadie, Ecasoni or Kingsclear.

The CHAIRMAN: Would you be in favour of keeping them on that reserve at Millbrook, outside of Truro, where those dilapidated houses are?

Mr. HARKNESS: I would, most definitely.

The CHAIRMAN: That is a matter of opinion.

Mr. HARKNESS: Any Indian veteran in that area that wants to build a cottage—and they were building two when we were there—should be permitted to do so. The Indian Affairs Branch started to carry out the provisions in regard to veterans' land grant, as it was intended by the Veterans Affairs committee they should be carried out, but the policy was changed and now they say suddenly: "No Indian veteran can take advantage of this grant unless he goes where we say."

The CHAIRMAN: Well, Major Patrick will be back next week and he can give us a complete report.

Mr. HARKNESS: I will be contented if Indian Affairs revert to what apparently was the policy when this matter first came up and let the Indian go ahead and build on his own reserve. It creates bad feeling also in that certain Indian veterans who came back early started in building houses on their home reserves and are fixed up satisfactorily but other Indian veterans who came back later are denied those conditions.

Mr. MACNICOL: The first ones were afforded the privilege.

Mr. HARKNESS: Yes, but the Indian Affairs branch changed their policy and later said no.

The WITNESS: We changed, Colonel Harkness, only when the Veterans Land Act was changed. The change in the acreage was compulsory. That was the time our change was made.

Hon. Mr. TAYLOR (*Joint Chairman*): When it was increased from half an acre to three acres?

The WITNESS: Yes, we were going along smoothly until then.

*By Hon. Mr. Stirling:*

Q. With regard to Mr. Hoey's declaration about taking certain groups of Indians in Nova Scotia and placing them in two areas, were those two reserves already in existence and were the Indians consulted about moving, and did they acquiesce in moving? Did they all move?—A. Yes, they were all consulted, and then we brought the Indian agents up and we had a number of conferences, and we asked for every consideration of opinion from them. The minister himself met them. He asked what should be done, and they expressed the view that this centralization policy would be sound. Even in Nova Scotia we have no power to compel an Indian to abandon his reserve. All we can say is that if he goes he will have medical care and a co-operative store, a nursing station, wholesale prices, and perhaps later there will be a little factory. It was hoped in the case of Escasoni that St. Francis Xavier University (Antigonish) would take an interest in it, as a sociological experiment and give it a certain amount of guidance and direction. As a matter of fact, conditions had become so shocking in Nova Scotia that white people were demanding action. We are not compelling Indians to move, except in the sense that Mr. Harkness speaks of compulsion. We are not asking any Indian gainfully employed at Truro to go to Shubenacadie.

Q. Did you have to build new buildings to house those who were moved?—A. Yes.

Q. And what happened to the houses they formerly occupied?

The CHAIRMAN: They usually went up in flames.

The WITNESS: They were a source of infection and filth.

Hon. Mr. STIRLING: Are they demolished?

The WITNESS: The majority of them have been burned.

*By Mr. Harkness:*

Q. In connection with the centralization scheme is it not a fact that the majority of the Indians in Nova Scotia are opposed to it?—A. No.

Q. When the evidence that we took when the commission was down there is published I think you will find that the majority of the Indians questioned were opposed to the centralization plan; they complained constantly that they were being forced into this plan and were being told that if they did not go to Escasoni or Shubenacadie they could not get any education for their children or medical attention or any relief, and they would be out of employment. In other words, they would lose all their Indian rights. I think the commission evidence will bear me out that that was the general tenor of the stories we heard from most of those Indians. And, furthermore, the Indians who were the original inhabitants of Escasoni were complaining about all these people being brought in on them which they thought, and I think they are quite correct in so thinking, would make it impossible for them to continue to make on the particular reserve.—A. Well, it is just possible that additional land may have to be bought at both points; but I rather hope that our educational and economical policy would be sufficiently sound to render that unnecessary.

Now, when people say that the central reserve system is a retrograde step, they usually refer to it as a bar to assimilation. The facts do not bear that out. I do not think I know of any group of Indians in Canada more progressive than the Six Nations group. They live on the reserve. The overwhelming majority of them are opposed to enfranchisement, voluntary or involuntary, and they are very proud of their race and their position. I recall that there were five girls sent from that reserve to receive higher education and they all married white men. One of them was a graduate of Toronto university and she married one of the most distinguished citizens of Brant county. There is no reason in the world why, if by educational effort, we bring these people up to a certain standard of development, and exploit their skills, there is no reason why the process of assimilation cannot proceed; but it all depends upon properly superintending welfare and training, and the educational policy. We must not continue to let them leave school from Grades III, IV or V—we should keep them in school until they are 25, or until they are fit in mind and body to compete with a fair hope of success among white people. That is the thought the advocates of centralization had in mind. Others say it is impossible. Maybe it is, I do not think so.

Q. How many Indians do you think this Escasoni reserve could provide with an adequate means of support?—A. I could not answer that question because there are timber resources there, they have a sawmill in operation there. I do not know how limitless these resources are at all. Maybe it would be possible and even desirable to purchase additional land; and Inspector Arneil refers to Crown land, no doubt owned by the province, adjoining that limit being available. All that was very thoroughly investigated. I would think we might be able to take care of a thousand Indians on that reserve.

Q. My personal opinion was that the place would not support anything like a reasonable standard of living for more than 20 families. The amount of agricultural land is very limited and the amount of timber apparently was not so very extensive, and the timber is rapidly disappearing. That was my chief objection to the centralization scheme. I do not think the people at Escasoni are any better off than those at Shubenacadie, and I do not think there are sufficient economic resources there to support one-tenth of the number of people being put on that place. It seems to me the result of that centralization policy is going to be that you will make these people perpetually a charge on the dominion government; in other words the taxpayer is going to have to support them in perpetuity, rather than leaving them on the reserves where they are at the present time and where they have good prospects of making a living for themselves for the most part.

The CHAIRMAN: I would refer the committee to the brief from Shubenacadie which will be found at page 868 of the 1946 Minutes of Proceedings, where it says in part:

We suggest they should further the education so as to enable the students to become self-sufficient after they leave school.

Yes, there are other matters far too numerous to go into detail with at this time, but I would like to bring this one to your attention. The majority of the Indians of this reserve are labourers, others are basket-makers and axe-handle makers. At the present time there is plenty of work for everyone, but in time to come there should be some other means of making a living. We would suggest a box mill, chair factory, basket factory or something to provide work for those who cannot go to other places to work or to hunt for jobs. We also believe in centralizing the Indians on one big reserve so that it will be possible to have a medical centre here. Our doctor has his office about ten miles from here and sometimes he is not available for some urgent cases.



That is signed by Chief Stiplus Knockwood, Councillor Martin Sack and Councillor William Paul.

Mr. HARKNESS: I would suggest as far as the eastern Indians themselves are concerned—from the evidence we took when we were down there—that I do not think there is any question that there was general complaint.

The CHAIRMAN: It is a matter which we must discuss and to which we must give serious consideration. There is a variety of opinion on it. We have to think of what is to the best advantage of the Indian himself. That is what most concerns us.

*By Mr. Harkness:*

Q. I have just one other question with respect to the Indians at Nordegg; have the Alberta provincial authorities reached any agreement, or indicated their willingness to enter an agreement, about the matter?—A. They have intimated that they would be glad to discuss the matter with Mr. Allan at the time of his visit, and they have expressed a willingness to allot land; but whether they are prepared to transfer to us a particular tract which we have in mind as ideal, or not, I am not prepared to say. Negotiations are continuing.

Q. There has been no further real progress?—A. That I do not know, due to Mr. Allan's absence. He will be back in about ten days and I would expect that he would perhaps have some more information on that plan.

Mr. MacNICOL: That land at Nordegg would have to be irrigated, too, would it?

Mr. HARKNESS: No.

*By Mr. MacLean:*

Q. Can you tell me how many acres are on the Indian reserve at Whycomagh?—A. I am sorry, I cannot give you the number of acres.

Q. Or the population on the reserve near Sydney?—A. Well, so many of them are employed in the United States, and a number of them have moved either to Shubenacadie or Escasoni, it is exceedingly difficult to state how many would be there now. Whycomagh has 1,555 acres.

Q. How many acres are there at Nyanza?

The CHAIRMAN: We can get that information at some other time.

*By Mr. MacLean:*

Q. Then may I ask this question: have any boats, nets or other fishing gear been supplied to the Indians at Escasoni?—A. I could not say, Colonel Neary could check up on that for you.

Q. And another thing, at Escasoni are they using the lumber for public sale?—A. Not yet, it is all being used for the construction of Indian homes.

*By Mr. Case:*

Q. Mr. Chairman, Mr. Arneil, the superintendent of Indian agencies for Ontario, is reported to have made a special trip to Sarnia to deal with a situation there. I wonder if Mr. Hoey would like to comment as to what is the situation there?—A. Well, a proposal was made by an oil company to lease quite a substantial acreage at the Sarnia reserve and the offer was rather an attractive one. The Sarnia band discussed the matter on more than one occasion with Mr. Arneil and in his absence as well, and they rejected the offer, they refused to lease. This company was exceedingly anxious if they could not get the larger acreage to get a smaller acreage, on which to establish tanks, I think, and they entered into negotiations with two or three locatees, men

who hold a particular acreage to whom it had been allotted, and entered into an agreement with the oil company for a long-term lease. And now, the band are very indignant at that action on the part of certain Indians leasing their private holdings, so to speak, when the band refused to lease the larger acreage. They have had one or two indignation meetings. I think they are having another one on Friday night. Mr. Arneil went down to a meeting some time ago and informed me by wire, and he also sent in a brief report in which he intimated that the Indians had expressed great indignation at the action of the department in sanctioning these leases. That is the last word that I have had.

Q. Would the individual Indian be within his rights in proceeding in that way?—A. Strictly, yes.

Q. Subject to the approval of the department, of course? As you say, you do not want to stand in the way of the individual Indian?—A. That is correct.

Q. Then the band's appeal is not at all likely to succeed?—A. I can't see how. Under existing legislation we never refuse to approve a lease. An Indian has a summer cottage to lease, or forty or fifty acres of land which a white neighbour of the Indian wants to cultivate. We never refuse to permit a lease in those circumstances.

*By Mr. Lickers:*

Q. Does not the department have to have band consent to allow these people to go on the reserve?—A. Well, that is all endorsed on the lease, Mr. Lickers; those rights are set out in the lease.

Q. Does not the department ask the band or the council of the band to give its consent to allowing lessees to come onto the reserves?—A. If it were held in common by the band we never take action without consent of the band and without approval of the band. The approval of the band must be secured first and the surrender obtained, before any steps can be taken to lease; that is true at Walpole Island and Sarnia and on the Six Nations, as you know.

Q. Yes, that is why I was wondering. In connection with the Six Nations the procedure is the lessee makes an application before the council for approval to reside on the reserve and after he gets that approval then the question of the lease is considered.—A. That is not the policy followed usually, in so far as locatees are concerned. An Indian who has secured a location ticket can lease his land or rent it, subject to department approval. That is what was done in this case.

Q. That is violation, or an encroachment by the white people on the reserve in connection with a lease. Do I understand it is different with a locatee?—A. It seems that there are times when it would be desirable; you take the case of summer cottages. Summer cottages provide an important source of revenue on many reserves.

The CHAIRMAN: That applies to Walpole Island, for one.

The WITNESS: Yes, and particularly to summer cottages. If the owner or locatee had to obtain the consent of the band it would be exceedingly difficult, if not impossible, at certain seasons of the year to secure even a meeting of the band; so, under the Act, the locatee can lease, subject to departmental approval, at any time.

*By Mr. Case:*

Q. Now, I come to my next point; what method does the department follow in checking the rolls as to the number of Indians who are eligible for treaty money or the disbursement of funds.—A. Where treaty payments are regularly made over a period of years, rolls are exceedingly accurate and complete, births

and deaths are recorded and accurate details kept. Now in the western provinces and in sections of eastern Canada where treaty payments have not been regularly made, Mr. Case, where there is an apparent encroachment of white settlers on a reserve—suppose for instance we take the Caughnawaga and St. Regis—the rolls, in my judgment, are rather incomplete and perhaps inaccurate. We have under consideration at the moment the appointment of a senior official to go from one end of Canada to the other to work out new rolls and with authority to determine who should be a band member and who should be excluded.

Q. In connection with the old rolls, whose responsibility would it be to remove the name of deceased Indians?—A. The Indian agent of course.

Q. And if he failed to remove them they could remain there?—A. They are checked very closely at treaty payment time. If you were to observe treaty payments you would be amazed at how complete it is, and how all the amounts necessary, whether \$5 or \$50 are checked very closely.

Q. Then I take it that these old rolls are pretty carefully checked.—A. Yes, we keep a close check on the old rolls.

Q. To make sure that the names of deceased Indians are removed.—A. And this commissioner will have the special duty of making a federal investigation and check on all treaty payment rolls.

Mr. LICKERS: It will take a matter of years to do that.

*By Mr. Castleden:*

Q. I was wondering, Mr. Hoey; how would you classify the Indians on various reserves? You have about 132,000 Indians in Canada. It is quite evident from the evidence we have had before us that there are some who are in very excellent condition financially, some Indians who possibly earn from \$8,000 to \$10,000 or more a year; there are others where conditions are not quite so good who have a fairly decent standard of living; and then there are some who are only fair, where the income is probably less than \$1,000 a year. I am wondering if there are any great number who are really very badly off, and what the proportion in these other three classes I have indicated may be; and, particularly, how many there would be in the very low income group. I was wondering if you could classify those approximately by percentage and how you would divide them up?—A. Well, the other officials of the department might not agree with me in this, but when I was superintendent of welfare and training—when we had our first discussion with respect to the revision of the Act—I thought one-third of the Indian population reasonably well-advanced, in many cases indistinguishable from the white man. For instance, when you came to a band like the Six Nations it is exceedingly difficult, if not impossible, to detect any difference between that group of men and any ordinary municipal council. I think one-third across the dominion are reasonably well-advanced and reasonably well off, including those Indians of British Columbia who are engaged in the fishing industry, and particularly so since the departure of the Japanese.

*By Hon. Mr. Stirling:*

Q. You are referring to the western Indians?—A. All of them across Canada, I say that one-third would be reasonably well off.

Q. Oh, it was all across Canada?—A. Yes. Take Caughnawaga. I suppose it would be hard to estimate the earnings of some of those Indians, they are steel-workers, and some of them make quite substantial daily wages.



*By Mr. Castleden:*

Q. They go to the States and work on structural steel, do they not?—A. Yes. They are well off. They are in great demand at all times for work on buildings like the Empire State and other big structural steel works.

Q. How many would you put in that class?—A. I would put about one-third in that. Then there is an intermediate one-third that work as section foremen and do a little hunting and trapping and a little guiding and in addition have subsistence gardens and work in lumber mills. Their economic base is not as broad or as dependable or as thorough, and their life is more hazardous, but on the whole they make a fair average living. Then there are the Indians in the extreme north, right across—with the exception, of course, of the Indians in the coastal area of British Columbia—they are the people to whom we have to devote the most attention and for whom we are trying to secure leasing of grounds for hunting and trapping, and for whom we are trying to develop the business of fur-bearing animals. It is the absence of the fur-bearing animals and the depletion of the lakes of fish that has affected their economic welfare. They are the ones who are the most urgently in need of help, and I think the department is making a real attempt to bring relief to them. Their condition became much worse after the return of the natural resources to the prairie provinces because the Crown land in the right of the dominion over which they could hunt and trap became Crown land in the right of the provinces, and the provincial game guardians naturally felt it was their responsibility to enforce discipline on the Indians and the Indians did not like that. I think that contributed to their economic destruction. I remember a chief, coming from Mr. Bryce's constituency, who came down to Winnipeg where he took the full arts course in St. Boniface college and then he went to one of the business colleges and took a course of training there. He was a particularly well-educated man. I asked him how he could leave Cross Lake, I think it was, and spend six years in Winnipeg acquiring an education. He said it was the result of the living obtained by his father from the fur industry, particularly beaver. And I said to him, how would you say the fur resources are to-day compared with the fur resources when you were a boy—and I am speaking from memory now, but I think he said that he hadn't seen a live beaver in that area for a period of ten years.

Q. Well, then, you think there are about one-third of them living under really subnormal conditions?—A. I would say so, yes.

Q. Now, as to your recommendation in regard to restoring the economic status of the Indian; in that you refer to the long-range plan; do you think there is any possibility of giving relief to these Indians who need it in the way of economic re-establishment within five years? Do you think you can bring those Indians back to a position of economic stability within five years?—A. Where land exists, such as exists in northern Alberta where a survey has been undertaken by engineers employed by Ducks Unlimited and where an accelerated development is possible, relief is almost immediate. That was our experience at Summerberry, within a year or two. But when you undertake the development of a beaver preserve and you have to bring in live beaver from Algonquin park or other districts, you cannot think of any increment for a period of ten years. I do not see much that you can do for these people in the meantime outside of working out a proper relief schedule that will enable them to live in a state of comparative comfort. They are just going to be charges on us. I cannot see any way around it.

Q. I think you also mentioned in your outline the need for a revolving plan, a fund, out of which money would become available to any Indian wishing to establish himself on farms or other projects; that is, money would be available out of this fund for the purchase of land or for the purchase of machinery and equipment in cases where land is available, to help them in becoming self-sustaining. How can we get money for that purpose? There is not sufficient money in the band funds and as I understand it the Indian cannot get it on his own. In the United States they have undertaken a big objective of that kind and it is a major factor in their re-establishment program. Has any survey been made as to the amount of money that can be used at the present time to help the Indian establish himself in an economic position somewhat similar to what is being done in the States through their revolving funds?—

A. We have \$300,000 in our revolving fund. Now, we have never drawn more than a fraction of it for the simple reason that we have not been able to get the equipment, supplies and so on, necessary to make it work. I think I can not do better than refer to the work which was undertaken by Dr. Robertson in Saskatchewan, who established a number of community farms. He used to get loans from the revolving fund, at the Pelly agency in particular; and they were remarkably successful. One of the things which has made the use of the fund difficult has been the great shortage of agricultural farm machinery. We sent over representations day after day—I had a call the other day from the purchasing agent who said: I will do my best but I cannot promise when it will be available. There is still an acute scarcity of plows, tractors and equipment necessary for these men to make a success. In loaning money from that fund we have encouraged young Indians in groups of four or five to take up 500 or 600 acres; in other words, where land is available, to work on a co-operative basis until they redeem or liquidate their obligation to the fund, and then they can split it up. That was Dr. Robertson's original idea and I would like to see it continue. Where there is an individual who has a reasonable chance of success and we know that he can secure the proper equipment, whatever he wants, that is the advice we give him.

Q. Who gives approval to the application, is it the agent?—A. The agent, the inspector and the minister.

The CHAIRMAN: Before you go further, are you going to be very long?

Mr. CASTLEDEN: If there are going to be no further meetings of the committee I still have one or two questions I would like to ask while Mr. Hoey is here.

The CHAIRMAN: Well, you know we are trying to wind up the business of the committee before the close of the House. We hope the House will close pretty soon.

Mr. CASTLEDEN: I think it will be continuing for a couple of weeks.

The CHAIRMAN: Is that a prophecy or a threat?

Mr. CASTLEDEN: Nobody knows, if you are not a prophet I must say that I am not.

The CHAIRMAN: We are going to meet on Wednesday, and for a part of that time, at least, we will be in camera. We might then be able to continue questioning Mr. Hoey while he is still before the committee, but for a part of that time at least we will be in camera.

Mr. CASTLEDEN: That is agreeable to me.

The CHAIRMAN: Before we close, there is a report from the inspector of schools in connection with Caughnawaga. If it is your pleasure we will have it filed as part of the minutes.

Carried. (See Appendix GJ).

Mr. MacNICOL: When he comes back, Mr. Hoey might put on the record the exact position of that Oromocto reserve, where the chief told us he once farmed his own land on the west side of the road—I forget the name of the man to whom it was given or sold—but the chief farmed his own land there and it was given away, or sold, by someone connected with the reserve who had no right to sell it and he claims that if he had that land back he would be all right. I would like to have a report from Mr. Hoey on that and any information as to exactly what the rights of the Indians on that reserve are.

The WITNESS: I shall be glad to do that.

The CHAIRMAN: We will meet again on Wednesday next.

The committee adjourned at 1.05 p.m. to meet again on Wednesday, July 2, 1947, at 11.00 a.m.



## APPENDIX GJ

DEPARTMENT OF EDUCATION, QUEBEC

5851 Clanranald Ave.,  
Montreal 29,  
June 13, 1947.

The Director,  
Indian Affairs Branch,  
Department of Mines and Resources,

Sir:

I have the honour to submit the report of my annual inspection visit to the schools of the Caughnawaga Reserve.

As you may see by the accompanying reports on the individual classes, I found the general progress very satisfactory.

The Principal, Sister M. Albertus, seems to be very active in the administration of the schools and in the supervision of the classes. She spends half of each school day in the Eastern School and the other half in the Kateri School. That her supervision of the teaching is constant and vigilant is evident from her knowledge of the progress of the classes and of the individual pupils.

The general behaviour of the pupils seems to be very good. I believe that there are few cases of bad conduct. The pupils are polite and friendly in their attitude towards a visitor. Their oral language shows constant improvement.

The schoolrooms are clean and orderly. They have been made as attractive and as comfortable as possible. There is no point in mentioning the lack of blackboard space in some of the temporary rooms, or the lack of light in some of the others. This will be remedied by the building of a new schoolhouse, which, I understand, will be undertaken in the near future.

During my visit, I inspected the woodworking shop and the household science room. Some interesting and useful articles have been made. The pupils' interest in the activities of these departments is even greater than in previous years.

(Signed) A. E. WESCOTT,  
*Inspector of Schools.*

SESSION 1947



# SPECIAL JOINT COMMITTEE OF THE SENATE AND THE HOUSE OF COMMONS

APPOINTED TO CONTINUE AND COMPLETE THE EXAMINATION  
AND CONSIDERATION OF THE

## INDIAN ACT

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MINUTES OF PROCEEDINGS AND EVIDENCE

No. 40

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WEDNESDAY JULY 2, 1947

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### WITNESSES:

Mr. R. A. Hoey, Director, Indian Affairs Branch, Ottawa;

Mr. George Patrick, Indian Affairs Branch, Ottawa.





## MINUTES OF PROCEEDINGS

HOUSE OF COMMONS,

WEDNESDAY, 2nd JULY, 1947.

The Special Joint Committee of the Senate and the House of Commons appointed to continue and complete the examination and consideration of the Indian Act (Chapter 98, R.S.C., 1927), and all such other matters as have been referred to the said Committee, met this day at 11 o'clock a.m.

Presiding: Mr. D. F. Brown, M.P., Joint Chairman.

*Present:*

*The Senate:* The Honourable Senators Blais, Macdonald (*Cardigan*), and Taylor—3.

*The House of Commons:* The Honourable Mr. Stirling and Messrs. Brown, Blackmore, Bryce, Castleden, Charlton, Farquhar, Gariépy, Gibson (*Comox-Alberni*), Harkness, Matthews (*Brandon*), (Vice-Chairman), MacLean, MacNicol, Reid and Stanfield—15.

*In attendance:* Messrs. W. J. Ford Pratt; R. A. Hoey, Director, Indian Affairs Branch; Major George Patrick, i/c Veterans' Land Act Administration, Indian Affairs Branch.

From 11 o'clock until noon, the Committee met in closed session.

On motion of Mr. Matthews, it was

*Resolved:* That the subcommittee on agenda and procedure be authorized to prepare and submit to this Committee for consideration a draft report of the recommendations to be made to Parliament before the close of the present Session.

Mr. George Patrick, officer in charge of the administration of Veterans' Land Act, Indian Affairs Branch, was called and made a statement with regard to the V.L.A. allotments to Indian veterans on certain reserves in the Maritime provinces, and was questioned.

Mr. R. A. Hoey, Director, Indian Affairs Branch, was recalled and concluded his presentation with regard to matters about which he had previously been questioned.

At 1 o'clock p.m., the Committee adjourned to meet again at the Call of the Chair.

T. L. McEVOY,  
*Clerk of the Joint Committee.*



## MINUTES OF EVIDENCE

HOUSE OF COMMONS,

JULY 2, 1947

The Special Joint Committee of the Senate and the House of Commons appointed to examine and consider the Indian Act, met this day at 11.00 a.m. Mr. D. F. Brown (Joint Chairman) presided.

Closed meeting from 11 o'clock until noon.

The CHAIRMAN: We will now go into the open meeting.

Mr. MATTHEWS: I would move that a draft report be prepared by the subcommittee for consideration by the joint committee.

The CHAIRMAN: That is the next matter of business. We must prepare an interim report of this committee to parliament. Now, in order to do that, it was thought advisable that you authorize your subcommittee on agenda and procedure to prepare a draft of a report which will be brought back to this committee, for consideration and approval before presentation to both Houses.

A motion has been put, authorizing the subcommittee to prepare a draft report which will come back some day next week for your consideration.

Have we a seconder?

Mr. REID: I will second the motion.

The CHAIRMAN: All in favour?

Carried.

Now, gentlemen, we have Mr. Hoey and Mr. Patrick here.

Mr. CASTLEDEN: Before we go into that I would like to ask if a brief has been received from the Vancouver branch of the Canadian Civil Liberties Union?

The CHAIRMAN: I thought every member of the committee had received a copy of the Civil Liberties Union brief, but apparently that is not so. The brief will be submitted to the subcommittee on agenda and in all probability will later be printed as an appendix to our proceedings.

Mr. CASTLEDEN: I would ask that the subcommittee on procedure should take some action with regard to the recommendations contained in their brief.

The CHAIRMAN: You can make a motion. It is really not necessary, because when the matter comes before the subcommittee it will take all necessary and proper action.

Mr. GIBSON: I wonder if the whole committee would like to give some general direction to the subcommittee. I wonder if the subcommittee should draft any specific recommendations.

The CHAIRMAN: The only idea would be to expedite proceedings. You could either accept, reject, add to or subtract from the subcommittee's report. You can make a suggestion now if you would like to do so. It will be the committee that is going to present the report and not the subcommittee.

Mr. GIBSON: Perhaps we had better go on as we are.

The CHAIRMAN: Have you any suggestions to make either privately or publicly?

Mr. GIBSON: I am on the subcommittee. I have some suggestions, but probably we should work on your suggestion.







Hon. Mr. STIRLING: Do I understand that the "steering" committee is the subcommittee referred to?

The CHAIRMAN: Yes.

Hon. Mr. STIRLING: It would be very much more helpful to the committee, I think, to have something in draft form before it for discussion.

Mr. BLACKMORE: What are the things we have to do to-day?

The CHAIRMAN: We are to hear Mr. Patrick and Mr. Hoey. Mr. Patrick has been down in the Maritimes, I believe.

The CHAIRMAN: In what connection?

The CHAIRMAN: In connection with the Veterans' Land Act dealings on Indian reserves in the Maritimes.

Mr. BLACKMORE: Speaking for myself, Mr. Chairman, may I say that while I want to hear Mr. Patrick I believe that remarks such as Mr. Hoey has made to this committee are of very great value and I would rather spend fifteen or twenty minutes listening to him.

The CHAIRMAN: I agree with you that Mr. Hoey's remarks have been very instructive and interesting and I have no doubt that many members of this committee would like to spend many hours examining him, but we are being criticized now for taking too long over our work and not bringing in a new Indian Act or a revised Act. I think there must be a termination somewhere at some time.

Mr. BLACKMORE: Is the report we are to listen to something that will help us in changing the Act or is it additional evidence?

The CHAIRMAN: This is to assist us with our knowledge of the operation of the Veterans' Land Act on Indian reserves, and for that reason we will be in a definitely better position in bringing in a new Act or revising the Act, or what pertains to that work.

Mr. CASTLEDEN: Is there going to be any allocation of time?

The CHAIRMAN: Yes, you have about fifty-five minutes. We will proceed in the usual way. I will now call Mr. Patrick.

### George Patrick, Indian Affairs Branch, recalled:

The WITNESS: I understood, Mr. Chairman, that I was here to answer some questions raised by Colonel Harkness at the last meeting.

The CHAIRMAN: Yes, but Colonel Harkness is not here at the moment.

Hon. Mr. STIRLING: He had to go to another important committee.

The WITNESS: The chief question had to do with our compelling an Indian soldier to move to an Indian reserve other than the one to which he belonged before he could get the Veterans' Land Act grant. That was particularly the discussion involved, as regards New Brunswick. I can say that in no place with the exception of Nova Scotia, which was explained the other day and where there is a concentration taking place at Escasoni and Shubenacadie, in no place in Canada have we refused to accept an application from an Indian because he asked to settle on a certain reserve. We have not refused to take an application from an Indian or have we said to him that we do not want him to settle there because we want him to settle some place else.

Hon. Mr. TAYLOR: How about the Devon reserve?

The WITNESS: This discussion revolved around Devon—that part of New Brunswick around Fredericton. For Devon I have sent back two applications. One of them was for S. J. A. Brooks who had been granted only one-seventh of an acre on the Devon reserve and the other was for M. P. Sapier, who had been granted only one-seventh of an acre at Woodstock. There is another one—



The CHAIRMAN: Why would you not grant it when there was only one-seventh of an acre?

The WITNESS: Because the regulations of the Veterans' Land Act demand that the applicant must have at least three acres.

Mr. BRYCE: It was half an acre to start with.

The WITNESS: There has been a great deal of hard feeling and criticism over this thing, both from the white veterans and the Indians. When the Veterans' Land Act was first brought into force applicants were allowed to settle on small holdings of half an acre. It was even reduced to 20,000 square feet—that is 100 by 200, slightly under half an acre, but as you probably recall, a little over a year ago the Act was revised by order in council and the provision was made that for a small holding two acres were required when the cost was over \$500 per acre.

Mr. CHARLTON: \$500 or over.

The WITNESS: Yes, or over; and when it was over \$500 three acres were required. Both of these were subject to a reduction of 20 per cent on account of irregularity—on account of some uncontrollable topographical feature. That boils down that the two acres may be reduced to 1.6 and the three acres may be reduced to 2.4, which is the absolute minimum the regulations allow. In the Devon reserve it was not possible to get that much property on the little street in which Indians are living; but at the conference in Quebec I pressed on the agents that while the requirement was for three acres there was nothing in the regulations to say that those 3 acres should be all in one block, and we have no objection to a man having a building site, say, of half an acre and his farm site somewhere else, to complete the three acres, so that we can meet the requirements of the V.L.A. I do not know whether I am wrong in making that statement in an open meeting or not, because I do not want to pull anything over the V.L.A.; but they do not say that we must have the land in one block. Therefore, I say we are justified in doing what a lot of people do and that is live in one place and garden in another. We give our Indians that latitude, and we think that will overcome the objection at the Devon reserve.

The CHAIRMAN: Do you mean that they could live at Devon and have their farm at Kingsclear?

The WITNESS: No, no, Devon is quite a fair sized reserve, but part of it is back in the bush. As you go up the road from Fredericton they are situated on a little village street, but in the hinterland there is other land.

*By Mr. Charlton:*

Q. Are you inferring that they can buy two pieces of ground, one piece being a half acre and the other two and a half acres?—A. Yes.

Q. And on one piece of land they can build their house and the other piece may be half a mile away?—A. Yes, as I understand it.

Q. What is wrong with that?—A. I cannot see anything wrong with it.

Q. I doubt if you could get away with it.—A. I am here to tell you gentlemen I am doing everything which is humanly possible to give all Indian veterans everything that they may be or may not be entitled to, but which they may have providing they meet all the qualifications of the regulations.

The CHAIRMAN: That is your job.

The WITNESS: That is my job. It does not say in the regulations that the land must be all in one piece or even that it should be contiguous to another part. We have no objection to a man having his house here and his garden a little way up the road.

(Discussion off the record.)







The WITNESS: At the time that this change was made from half an acre to three acres I considered that half an acre was quite ample. This is only a part-time scheme, and I know that I would hate to develop or improve anything like three acres in my spare time. I do not think anyone can handle more than half an acre in his spare time.

We wrote to the director, the Veterans' Land Act, as follows:

Reference is made to your circular letter 103-1946, Veterans' Land Act regulation 22A.

It is noted that the minimum area for a small holding has been set at two acres where the cost of land is in excess of the rate of \$500 per acre and three acres where the cost is less than \$500 per acre, subject to a reduction at the discretion of the Director at 20 per cent, being 1.60 and 2.40 respectively.

It is doubtful that there is an Indian reserve where land acquired by the Indian of a band for a small holding should cost anything in the neighbourhood of \$500 per acre and, in fact, in most cases the land is given free.

Since there is no loan featured under section 35A will you please advise if any variation in this regulation will be permissible in the case of small holdings on Indian reserves. This information is being requested in order that we may circularize the Indian agents setting out the new conditions.

We received a reply from Mr. Murchison, the director, the Veterans' Land Act, as follows:

Replying to your inquiry of the 18th in reference to our circular letter No. 103 quoting Veterans' Land Act regulations 22A, I may tell you that this regulation will apply in connection with the establishment of Indian veterans on reserve lands in all cases except those where establishment takes the form of commercial fishing.

Now, in commercial fishing they have permitted us simply a building lot on the assumption that the commercial fishermen, particularly on the coast of British Columbia, would simply want a wharf for his boat, some place to dry his nets and a place to live in shore. We have permitted them to take almost any reasonable amount of land, and the three acres does not apply. We have circularized our agents to have three acres, for the reason that I do not know of Indian reserves in Canada with the possible exception of some in the heart of Vancouver or immediately adjoining where land is worth anything like \$500 an acre. You might conceivably put them there, but those lands are not open for settlement.

To give you an idea: the highest I have paid for land on an Indian reserve was \$125 an acre. We questioned that price, because that is exceptional. That was at New Westminster on the Skwah Indian reserve.

It is noted that \$1,000 is to be paid for eight acres on the Skwah Indian reserve. As \$125 an acre appears to be high for land on an Indian reserve and this will in all probability be questioned by the Veterans' Land Act officials, will you please advise whether this is a fair price and is in line with current prices being paid for similar land in this area.

Mr. Gillett, the Indian agent at New Westminster, replied:

. . . I wish to state that similar land held by white people in the surrounding area is being sold for prices ranging from \$500 to \$1,000 per acre.

The land in question is cleared and fenced and the soil is excellent.

That seemed to justify the price of \$125 which I say is the highest we have ever paid anyone for land on an Indian reserve—from one Indian to another.

*By Mr. Gibson:*

Q. Did that money go to the band fund?—A. No, it went to the individual locatee who already owned the property. He had the Indian title and had made the improvements.

Now, gentlemen, Mr. Hoey suggested that I give you some statistics on the veterans of Nova Scotia and New Brunswick for the purpose of the record. During the war we attempted, I understand, to get as complete a record as possible of the Indian enlistments. It was not an easy job, but I think the record is fairly complete. In the Escasoni agency we have a record of 51, and in Shubenacadie 62.

*By Mr. Blackmore:*

Q. May I ask one question there? Are those voluntary enlistments or do they include enlistments under some pressure such as was used to persuade some whites to join?—A. I could not answer that. There were very few—as a matter of fact in my experience we had very few—NRMA Indian soldiers; they were nearly all voluntary enlistments.

*By Mr. Bryce:*

Q. Will you tell the committee how you are going to find homes for those soldiers in Escasoni and Shubenacadie? We saw some who could not get homes?—A. Well, there is a sawmill at both Escasoni and Shubenacadie. The development started only a year or so ago. The practice is to allot a parcel of land to the Indian veteran, and then his house foundation is dug and the wall is put in and the labour is provided and the material. The difficulty has been getting materials more than anything else.

Q. The department do not finish the inside of the house, do they; they just put up the frame?—A. There is only \$2,320 available and that certainly will not now complete a house. The frame is finished and the outside is finished, and in some of them the interior is well completed.

Q. To get those benefits the Indian has to go back on the reserve, and when he does there is no opportunity for him to make his livelihood?—A. No, no, he has the same privilege as I have, and that is of coming under the Veterans' Land Act and obtaining from them a grant or a partial loan of \$6,000 to build anywhere he cares; or he can come under section 35 which is settlement on provincial-Crown land. There are three separate schemes under the V.L.A. One can get from the director of the Veterans' Land Act \$6,000, but he must pay 10 per cent down on the value of the land and buildings and must finally take on a loan of something in the neighbourhood of \$3,200 payable over a period of twenty-five years. That is open to an Indian veteran just as it is to anyone else.

The CHAIRMAN: There is no differentiation between a white man and an Indian?

The WITNESS: None whatever. They are being told that as veterans.

*By Mr. Bryce:*

Q. Is any consideration being given to the reserve you closed up near Sydney which had one or two acres on it? That could have been made into a settlement for Indians where they would be close to their employment.—A. We cannot use it. Indians were moved out of there by an Exchequer Court ruling. That reserve was closed down.

Q. Why?—A. At Sydney? Because it was within the city limits of a city having a population of over 10,000.







Q. We are trying to assimilate the Indians, why not give them a chance there?—A. We cannot do that.

Q. That seems to be what is happening all along—you are driving the Indians farther back. We should be trying to bring them forward rather than driving them back.

The CHAIRMAN: What do you mean by assimilation?

Mr. BRYCE: Bringing them in among the white people.

The CHAIRMAN: Do you mean have him marry and take his place in our society?

Mr. BRYCE: Yes, take his part in our society.

The CHAIRMAN: He is free, I think, at Sydney to take his part in society, because there he is living right in the city and he is not on a reserve.

Mr. BLACKMORE: Subject to all the disadvantages to which Mr. Farquhar has referred.

Mr. BRYCE: Just a minute. Under the Indian Act or elsewhere he has had his treaties' rights taken away. Now, we want them to go back on a reserve and they will get everything that is coming to them.

Mr. BLACKMORE: Whatever that may entail.

Mr. BRYCE: Whatever that is—medical attention and so forth.

The CHAIRMAN: I agree. We must try to assimilate the Indian, and I think your definition is correct; that is, to have them assimilated into our society we do not want them to lose their blood stream by any means, and we want them to be assimilated into society. Now, we cannot assimilate them, as you suggest, by keeping them in the hinterland on reserves, we want to bring them out into the open, into the Canadian body politic.

Mr. BRYCE: Government regulations to-day are driving them back into the hinterlands.

The CHAIRMAN: The reserve should be a training ground for citizenship.

Mr. BRYCE: They have been on the training ground for the last eighty years. Have they made a fair job?

The CHAIRMAN: That is why this committee was formed. We see that something has to be done, in that direction.

Mr. BLACKMORE: What would constitute encouragement? We have the ghastly situation Mr. Hoey referred to in his off-the-record speech. Is that an encouragement to go off the reserve?

The CHAIRMAN: What about you and me? We have to meet our obligations as citizens.

Mr. BRYCE: We did not once own the country; we are only immigrants. I do not know what you are or what your dad was—

The CHAIRMAN: I am a Canadian of a couple of generations anyway.

Mr. MATTHEWS: Mr. Chairman, I suggest that we proceed with the witness.

The WITNESS: I gave you figures regarding Escasoni and Shubenacadie. At Escasoni we have eight applications approved; at Shubenacadie we have six.

In New Brunswick, in the northern district, there were twenty-nine enlistments and we have eleven V.L.A. applications out of the twenty-nine who are eligible. In New Brunswick west, there were one hundred enlistments and we have ten applicants—around Fredericton, Woodstock and St. Mary's. In Fredericton east there were sixty-six enlistments and we have ten applications approved.

The CHAIRMAN: Could you tell us something about Oromocto reserve?

The WITNESS: Oromocto reserve is a small reserve east of Fredericton. I have not got a single application from any member of the Oromocto reserve

on record; no one has applied from there. Now, I discussed that with the agent, and the Indians are just sort of sitting on the fence wondering if they want to go to Kingsclear or if they want to stay at Oromocto. They have not given us a decision. Partly the reason we do not get a decision is that there is lots of work to be done by the Indian who wants to work, and he is not very keen on bothering about this settlement until such time as he is a little bit squeezed. You ask about someone and they say, "Oh, he has gone to Maine to work on the farms, to dig potatoes."

Hon. Mr. TAYLOR: I think the main request there was from the elderly people.

The WITNESS: That is a matter of welfare and has nothing to do with the Veterans' Land Act.

*By Mr. Bryce:*

Q. You know where the street was—the rows of houses that were built by the department?—A. That is at Devon.

Q. You are not going to allow any more houses to be built there under any arrangement?—A. We have not made that decision. These Indians work in the city of Fredericton, and so long as they get three acres of land I am not interested in whether they remain there or not.

Q. They would not get three acres of land in that town.

The CHAIRMAN: Mr. Bryce, the houses are all close together, but the three acres are away back of the place.

*By Mr. Blackmore:*

Q. Would the three acres in the town be subject to municipal taxation?—A. No; it is all reserve land. Up until the 31st of May we had 504 Indian veteran grants across Canada. That amounts to a total of \$1,019,551.41, with an average of \$2,023 apiece. Of that \$1,019,551.41 we have been able to expend to date only \$426,269, chiefly because we cannot buy machinery and materials and we cannot get people to work for us.

*By Mr. Bryce:*

Q. Why cannot you get people to work for you?—A. Because they are quite keen to work in cities rather than to go out and work on Indian reserves. They take the line of least resistance.

*By Mr. Lickers:*

Q. What do you offer these chaps in Devon—the fellows kicking around—to help dig cellars and build houses? Should they take that work?—A. No, I question that very much. I went to Devon after these people had finished their work and I met these veterans, and there were several houses built there. We have no objection to settling anyone at Devon as long as we can get the three acres demanded by the Veterans' Land Act.

*By Mr. Castleden:*

Q. Do you think you could settle some of these veterans on land if the regulation with regard to the three acres were not there?—A. We did it before at Devon and at one or two other places. We have people settled on half an acre, or less than three acres.

Q. And making satisfactory advance?—A. Yes.

*By Mr. Bryce:*

Q. Their work was not done?—A. And the others, after the change was made, cannot understand or won't understand why they could not have the same half-acre as the other fellows.







*By Mr. Castleden:*

Q. Do you not think it would assist you if you had the power to do that?—A. Yes, it would, I am quite sure. There are many small reserves where it is difficult to get more than half an acre for anybody's settlement.

Q. I think it would be a good thing for this committee to recommend some change such as that which would assist individuals on reserves; but we often run up against this particular situation.—A. It is only in a very few places that we would require that, because in most places we have ample land. It is only in the isolated case where we come across restricted areas with a large number of veterans. The difficulty occurs of getting three acres of land out of a small reserve with a large population. The other answer is to go out in the market and buy more land to add to the reserve. That is a difficult question.

The CHAIRMAN: Now, Mr. Patrick's evidence has all been given previously to this committee on pages 258 to 268 of our Minutes No. 6. We will now call Mr. Hoey. Are there any questions you wish to ask Mr. Hoey?

**R. A. Hoey, Director, Indian Affairs Branch, recalled:**

Mr. LICKERS: I have a few questions to ask Mr. Hoey.

*By Mr. Lickers:*

Q. Mr. Hoey, you were here when Mr. Zimmerman from the United States gave his evidence in connection with their administrative set-up?—A. Yes.

Q. Having the country divided up into districts?—A. Yes.

Q. Do you think that would be feasible in Canada?—A. I think that proposal at the present time under consideration in the United States is a compromise. There has been, as you know, a strong demand in congress for a number of years for the abolition of the Indian Affairs branch or department, and I think this has been worked out by certain members of congress as a compromise. It is their hope that by zoning the United States into nine zones and giving the man in charge of each zone all the power enjoyed by the Indian commissioners at Washington or Chicago that that will be a substantial step toward the assimilation of the Indian and, perhaps, toward the abolition of the department.

Q. In the meantime, would you suggest that the committee recommend the holding on the reserves of an election or a referendum as to the type of administration or government that they want now, so that an expression of opinion could be made known by next session?—A. In reply to Mr. Castleden a few days ago I said there were three groups of Indians, the well-off, an intermediate group, and others urgently in need of assistance. I think, Mr. Lickers, from the standpoint of administration there are equally three groups. I visited the Caughnawaga's over the week-end to speak at a convention of homemaker's clubs. After the meeting I went around the reserve with the council and I was deeply interested in matters to which they directed our attention. Sanitation was one, very poor roads another, and cows roaming on the highways.

How in the world are you going to consider matters like that in Ottawa. I think the committee will have to give consideration to the incorporation of Caughnawaga as a village or town, assigning them definite rights and responsibilities, and putting an official in charge comparable to a municipal clerk. I would give that man a great deal of authority. The Indians seem to be able to cross the river and make real money as steel workers and so on. They are quite competent in certain other respects.

Q. That could be done by changing the Act by order in council?—A. I would rather see them regularly incorporated.

Mr. CASTLEDEN: Would you place the official in there or would you allow them to elect their own official?



The WITNESS: I would allow them to elect their own official and possibly make them pay for him.

Mr. BRYCE: Yes, and if they failed you could step in and take over.

The WITNESS: I think the reserve could provide the money required.

The CHAIRMAN: As a matter of fact, with respect to the Caughnawaga's I had some of them in my office the other day and I wrote you a letter about these cows, setting out what they said about the matter, including the opinion that there was no reason why they should not impose their own taxes.

The WITNESS: Certainly. Why should I be bothered with cows roaming the highways on Caughnawaga, although I have not particular prejudice against cows.

I think that legislation of the type existing in the United States, whereby they incorporate an Indian town and give them the right to sue or be sued, should be looked over very carefully. I am speaking administratively and I think a number of the advanced bands should be immediately incorporated under some such law as that. I think it should have been done years ago and certainly it should be done now.

The CHAIRMAN: Are there any other questions?

Mr. CASTLEDEN: In view of the fact that it does not seem likely we are going to be amending the Act before 1948, in what fields do you think you could institute some immediate program to alleviate the conditions under the Act as it still stands, or are there some changes in the Act which you think we should recommend immediately, to make it possible for you to carry out the program you envisage.

The WITNESS: The list may appear small to you but I think an amendment such as Mr. Castleden suggested to Major Patrick would enable us to escape a lot of criticism and devote more time to something else. You made recommendations last year that we have not been able to carry out because we ran into a *cul de sac*. You remember the complaints you had last year about the rents on the B.C. coast. A man rents his house out there; it is approved in Ottawa; the rent is paid to the agent, frequently to the commissioner, and from the commissioner it comes to Ottawa. Then the money is deposited in the Consolidated Revenue Fund and there is a requisition for a cheque which has to be made out and signed. Then the cheque goes back to the agent and then to the poor Indian who is renting his farm. I took that up with the treasury officials but I did not get anywhere because the lease is made out in the name of the Crown, and that money must be deposited, according to my information, in the Consolidated Revenue Fund, even though it is deposited at one o'clock and taken out at two thirty the same afternoon. Now I would like to see your recommendation followed up.

The CHAIRMAN: We reported on that to parliament in the third report of this committee under date of August 15, 1946, item No. 8 of our report.

Mr. LICKERS: Apparently nothing has been done about that recommendation.

Mr. CASTLEDEN: That is what he is telling us. He has run into difficulty.

The WITNESS: That is something the officials of the treasury are working on because it is a big thing. We have thousands of these rentals coming in and there are delays. I am interested, more than anything else, in establishing better relations between the department on the one hand and the Indian population on the other hand. I would go a long way in avoiding criticism and establishing better relationship if this delay could be avoided. It is a very urgent problem but we simply have not the staff to take these rentals over. The whole procedure is not necessary and I suggest that the rental should be paid to the agent. He could deposit it in the local bank and issue cheques on it. All Indian agents are bonded and most of the rents are small, \$20 a month or \$25 a month.



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Of course in some cases they are much larger but I do not think it is necessary to send all these rentals, from one end of the Dominion to the other, to Ottawa and have the cheques re-issued. I think it is unwise and unsound.

Mr. MATTHEWS: What would happen if the Indian collected his own rent?

The WITNESS: I would be prepared, in some cases, to extend that right. They are usually elderly Indians in their seventies, who have had to give up their little holdings for the rental and it just breaks our hearts to see the delays occur. I am not blaming anybody for the delays because it is part of a circuitous system.

The CHAIRMAN: Are there any other recommendations we made last year, Mr. Hoey, on the 15th of August, that you would like to have re-iterated, or do you recall them?

The WITNESS: Yes, I recall them all.

The CHAIRMAN: How about the speeding-up of appointments of Indian Agents?

The WITNESS: Your committee recommended the speeding up of appointing of agents. I think the Civil Service Commission has attempted to do that but the number of men applying for agencies today is rather discouraging. We advertise a position at \$3,000 plus house, fuel and light, and at \$3,600 plus house, fuel, and light, but the number of candidates who have the minimum qualifications is very small.

Mr. LICKERS: Are there any Indians applying for the position?

The WITNESS: There was one Indian in the province of Quebec who applied for the position of Indian field agent, or Indian agent at large, but none of the applications, including that of the Indian, in our judgment, have the minimum administrative experience and I am not sure we will proceed with the competition.

Mr. MATTHEWS: I think perhaps Mr. Hoey will disagree with me in this, but I do feel that the call for university graduates in many cases is carried to extreme. Good practical men are set aside.

Mr. BLACKMORE: Hear, hear.

Mr. MATTHEWS: Because they have not a university degree. Many of them have something much better.

The CHAIRMAN: They are good horse-traders, but they are being set aside because they have not got a degree and I think you are quite right.

The WITNESS: I am rather disposed to ask for an agricultural graduate from the westerners. However, in co-operation with the Civil Service Commission, we have now decided to ask for university graduates, usually in agriculture, "or its equivalent", which enables us, if a man has a good background and history, to give him an even break with the graduate. I would like to say a further word on this matter. While a university degree may not be everything, still it is an indication that a man has taken a certain amount of training and it could not have done any harm, particularly in agriculture.

Mr. MATTHEWS: But it shuts out the man who has not got the degree.

The WITNESS: It will not do so now because we have inserted the words "or its equivalent" which enables us to sum up a man's experience.

Mr. BLACKMORE: I would like to say just a word in support of Mr. Matthews. The simple fact that a man has gone to university, and I am a university man myself, is sometimes a disadvantage. A young fellow may go to university at the right age to graduate but he spends such time graduating and getting the degree required that he becomes completely divorced from the practicalities of life. He is right out of touch with everything practical and it is very difficult for him to get back into contact. When he comes out of

university after his training if he is put into a position, for instance as an Indian agent, where there is a certain degree of complexity to his surrounding, he is completely out of his depth. His whole approach to the questions involved is hampered by lack of contact with everyday life while obtaining his university degree and he is a total loss to the Indian because the Indian does not understand how he made good even at the university.

The CHAIRMAN: Well if there are no more questions we will adjourn.

The meeting adjourned at 1.00 p.m. to reconvene at the call of the chair.

### Appendix GK

CRESTON VALLEY HOSPITAL ASSOCIATION INCORPORATED 1930

CRESTON, BRITISH COLUMBIA,

18th June, 1947.

The Reverend J. H. MATTHEWS, M.P.,  
Ottawa.

DEAR MR. MATTHEWS,—Just after I wrote you on the 26th May a communication was received from Dr. Moore offering us a \$4.00 inclusive rate. This means that they will pay nothing for X-ray, nothing for surgery and nothing for penicilin which last item usually averages \$2 per day when the treatment is given.

Payment is made by the Department of Veterans' Affairs for their patients at the rate of \$4.00 per day, plus X-ray charges, plus surgery charges, plus medicine charges. We have no colour distinction, and demand the same charges for white and Indian patients.

We wrote the Indian Department declining their offer and advising that we would adhere to our original order that Indians will not be admitted to this hospital under any circumstances. We were gipped \$64.50 on the two most recent patients which we admitted for humanity's sake.

I do not think our difficulties with the Indian Department will be straightened out until the whole Indian Department is re-shuffled. The officials in the Department at Ottawa know nothing of conditions in the West, and in any case are severely handicapped by being so far away. The Indians get a poor deal all round. We do not think it right that they should be hauled seventy miles over poor roads when there is a well equipped hospital at their door. The Indians are in no way to blame for the condition that makes them take this tough journey when sick. I am quite sure that a white man would never stand for such treatment.

I understand that at this time a parliamentary committee is enquiring into the whole Indian question, and I hope that all this evidence is presented in some form.

Yours sincerely,

H. A. POWELL,  
*Secretary.*

Referred to committee by Mr. Wm. Bryce, M.P.







## Appendix GL

## DEPARTMENT OF NATIONAL HEALTH AND WELFARE

OTTAWA, ONTARIO,

June 27, 1947.

Mr. T. L. McEvoy,  
Clerk of the Indian Act Committee,  
House of Commons,  
Ottawa.

DEAR MR. McEvoy,—

*Creston Valley Hospital, B.C.**Patient Day Rate*

The annual financial statementt of this institution for the year 1946 indicated that the actual operating cost was \$4.79 per patient day. There was an operating profit of \$38.99 for the year.

In view of the fact that the operating costs include services provided to private, semi-private and outpatient services, none of which facilities are devoted to native patients, it was considered by our Regional Superintendent in British Columbia that a rate of \$4.00 per day inclusive of all services to Indian wards should be acceptable to this hospital. With this we concurred and an offer of \$4.00 per patient day was made. This offer was refused.

We remain of the opinion that the offer was fair and are inclined to resist the pressure which is being attempted through irritation of the local natives. Negotiations with the hospital have been approached in a businesslike fashion by this office and have been countered with an ultimatum which is foreign to the tradition of hospital practice.

Yours very truly,

H. A. PROCTOR, M.D.,

*Acting Director, Indian Health Services.*

## Appendix GM

## THE CHURCHES AND INDIAN EDUCATION

by

ANDREW MOORE, Ph. D

In the development of our western civilization the Christian Churches have always pioneered in bringing education to the masses of the people. This has been particularly true in the case of the Indians of Canada.

It is pertinent to recall that the Universities came first in the evolution of general education. During the early middle ages at Oxford, Paris and other European centres, seekers after knowledge came together to sit at the feet of the Masters. In due course many of them found that they did not have sufficient foundation to understand the Masters so preparatory schools arose to

meet their needs and thus secondary education was developed. All this, however, was only for the favoured few, who were mostly in Holy Orders. It was not until many centuries later that education for everyone was even remotely considered.

That is to say universal literacy is a very modern achievement. Prior to the Reform Bill of 1832 in England the great masses of the common people could not read and write. In fact it was not until 1870 that the first Elementary Education Act was passed in England. By that date the burden had become too heavy for the Churches to carry and the State had to take a hand.

The State did not, however, forthwith dispense with the services of the Churches in public education. They were gradually integrated with the State administration and control.

In working out this integration in England the State laid down the educational and other standards and appointed His Majesty's Inspectors of Schools to see that these standards were maintained. Then if say the Anglican Church was doing the job satisfactorily in a certain community it was permitted to continue and it received the same maintenance grants as the State schools so long as, in the opinion of H.M. Inspectors, it maintained the standards laid down by the State. The same policy was applied to the Roman Catholic and to the other pioneering denominations.

Should we not, therefore, profit by the experience of others in similar circumstances and work out some similar arrangement to continue to utilize the services of the four Canadian Churches now co-operating in the education of Indians in Canada?

Experience shows that when the Churches have full control there is a strong tendency to overemphasize religion. On the other hand, when the State is in full control there is a strong tendency to avoid religion and much of the spiritual and moral values which accompany it. That is to say a State monopoly of public education seems to be as undesirable as a Church monopoly and vice-versa. What we need is a balanced utilization of the best features of both.

State education in all the Canadian provinces is too godless. I speak after having seen the results in and from all these provinces. It is an open secret among educators that the high school pupils of to-day, and they form the end product of our provincial school systems, are on the average much more sophisticated, cynical and materialistic than were the high school pupils of a generation or two ago. Unfortunately, also this is cumulative. In short, our state monopolies in education are not turning out to be above reproach.

It is evident, therefore, that a suitable combination of religious instruction (Christian) and secular instruction is essential in all education on the elementary and secondary levels at least. This is particularly true with respect to Indian education because the Indian children in many cases are not very far removed from paganism.

In practice this desirable combination is difficult to achieve. It seems to me, however, that the Dominion authorities now face a rare opportunity of establishing a policy and setting up an organization which will bring to the Indian children of Canada the best features of both Church and State programs.

To accomplish this I would recommend:—

- (a) that in every school where Indian<sup>1</sup> children are under instruction, Christian morals and manners and the inculcation of the golden rule must pervade all lessons and all school activities, but since citizens of

<sup>1</sup> Within the meaning of the Indian Act.







all religious denominations pay taxes for their support neither segregation of pupils for religious instruction nor teaching of any denominational religion can be permitted during the school hours assigned to secular instruction.

- (b) that legal provision be made under which, in every Indian school receiving aid from public funds the last half-hour of the regular school day could be devoted to denominational religious teaching (Christian) where so desired.

The law in this respect in Manitoba, which has been in operation for over fifty years is probably as good as any and it could readily be adapted to suit the present circumstances in connection with Indian education. This Manitoba legislation provides for two types of religious instruction and sets out the conditions under which each may be carried on.

The first is called "Religious Teaching" which permits clergymen of all denominations, or teachers authorized by them, to impart denominational religious instruction for the last half-hour of the school day and to segregate the pupils for this purpose. There is also a conscience clause under which parents may keep their children out of these classes.

The second is called "Religious Exercises" and consists of prayers and Bible readings without comment. These prayers and readings have been agreed upon by both Catholics and Protestants and are to be found in Booklet "Regulations of the Advisory Board regarding Religious Exercises in Public Schools of Manitoba".

For convenience I am quoting below the pertinent Manitoba legislation<sup>1</sup> in full.

### "RELIGIOUS TEACHING"

5. Religious teaching, to be conducted as hereinafter provided, shall take place in any public school in Manitoba;
- (a) if authorized by a resolution passed by the majority of school trustees of the district in which the school is carried on; or
- (b) if a petition is presented to the school trustees asking for religious teaching and signed by the parents or guardians of at least ten children attending the school in the case of a rural school district, or by the parents or guardians of at least twenty-five children attending the school in the case of a city, town or village school.
6. Such religious teaching shall take place between the hours of half-past three and four o'clock in the afternoon, and shall be conducted by any Christian clergyman whose charge includes any portion of the school district, or by any person duly authorized by such clergyman, or by a teacher when so authorized. Provided that where a school is closed at half-past three o'clock in the afternoon under the regulations of the department such religious teaching shall take place between the hours of three o'clock and half-past three o'clock in the afternoon.
7. Where so specified in such resolution of trustees, or where so required by a petition of parents or guardians, religious teaching during the prescribed period may take place only on certain specified days of the week instead of on every teaching day.
8. In any school in towns and cities where the average attendance of Roman Catholic children is forty or upwards, and in villages and rural districts where the average attendance of such children is twenty-five or upwards, the trustees shall, if required by a petition of parents

<sup>1</sup> Revised Statutes of Manitoba, 1940, ch. 175, secs. 5 to 16, incl.



or guardians of such number of Roman Catholic children, respectively, employ at least one duly certified Roman Catholic teacher in such school. In any school in towns and cities where the average attendance of non-Catholic children is forty or upwards, and in villages and rural districts where the average attendance of such children is twenty-five or upwards, the trustees shall, if required by the petition of parents or guardians of such children, employ at least one duly certified non-Roman Catholic teacher.

9. Where religious teaching is required to be carried on in any school in pursuance of the foregoing provisions and there are Roman Catholic and non-Roman Catholic children attending the school and the school room accommodation does not permit of the pupils being placed in separate rooms for the purpose of religious teaching, provision shall be made by the regulations of the department whereby the time allotted for religious teaching shall be divided in such a way that the religious teaching of Roman Catholic children shall be carried on during the prescribed period on one-half of the teaching days of each month.
10. No separation of pupils by religious denominations shall take place during the secular school work.
11. Where the school room accommodation at the disposal of the trustees permits, instead of allotting different days of the week to different denominations for the purpose of religious teaching, the pupils may be separated when the hour for religious teaching arrives and placed in separate rooms.
12. No pupils shall be permitted to be present at any religious teaching unless the parents or guardians of such pupils desire it. If the parents or guardians do not desire the attendance of pupils during such religious teaching, then such pupils shall be dismissed before the religious teaching is begun, or shall remain in another room.
13. The department may make regulations not inconsistent with the principles of this Act for carrying into effect the provisions of the eight last preceding sections.

### RELIGIOUS EXERCISES

14. Public schools shall be entirely non-sectarian, and no religious exercises shall be allowed therein except as provided in sections 15 and 16.
15. Religious exercises in public schools shall be conducted according to the regulations of the Advisory Board. The time for such exercises shall be just before the closing hour in the afternoon, except that in cities, towns and villages the school board by by-law may provide that such exercises shall be held just after the opening of school in the morning. If the parent or guardian of any pupil notifies the teacher that he does not wish such pupil to attend such exercises, then the pupil shall be dismissed before the exercises take place or shall remain in another room.
16. Religious exercises shall be held in a public school entirely at the option of the school trustees for the district, and upon receiving written authority from the trustees, it shall be the duty of the teachers to hold such religious exercises.







## SPECIAL JOINT COMMITTEE

I desire to emphasize that these recommendations are based on the merits of the situation and not on religious, political or compassionate grounds. They are designed to secure a balanced utilization of religious and secular instruction. I realize that they must be worked out with co-operation and good will on the part of all concerned but I believe they will be effective if wisely applied.

ANDREW MOORE.

Winnipeg, June 1, 1947.

Submission to subcommittee on Education of Indians, at meeting on  
Thursday, 3rd July, 1947.

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